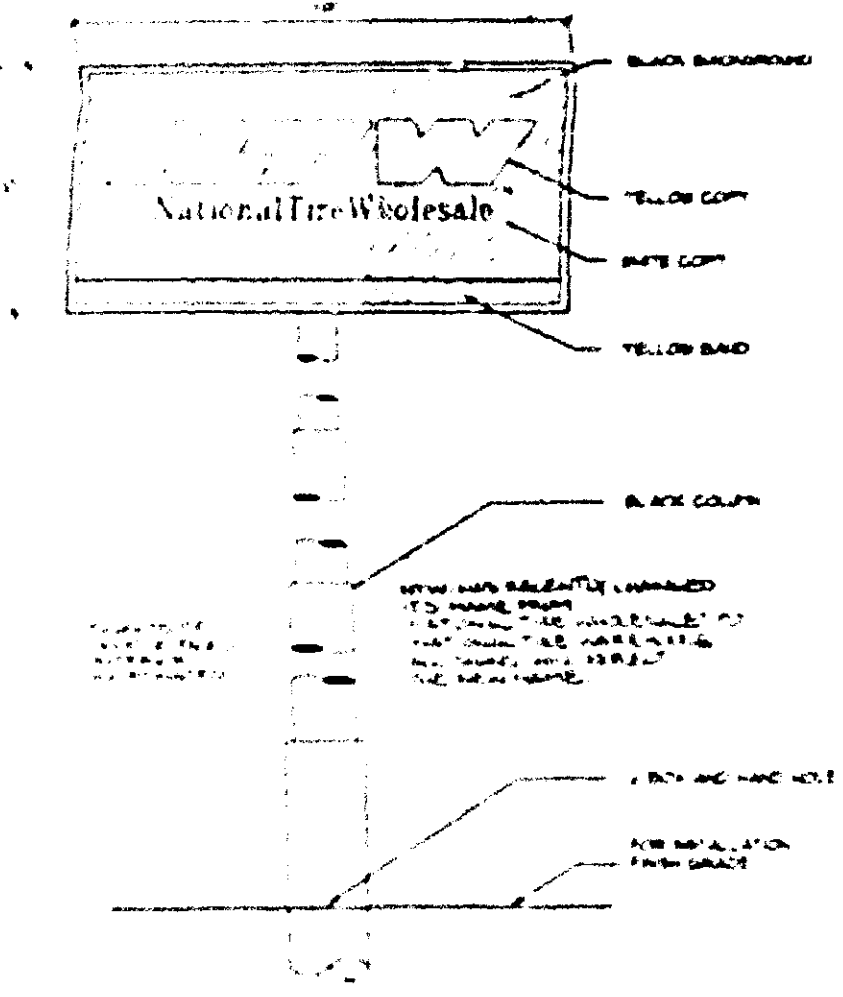


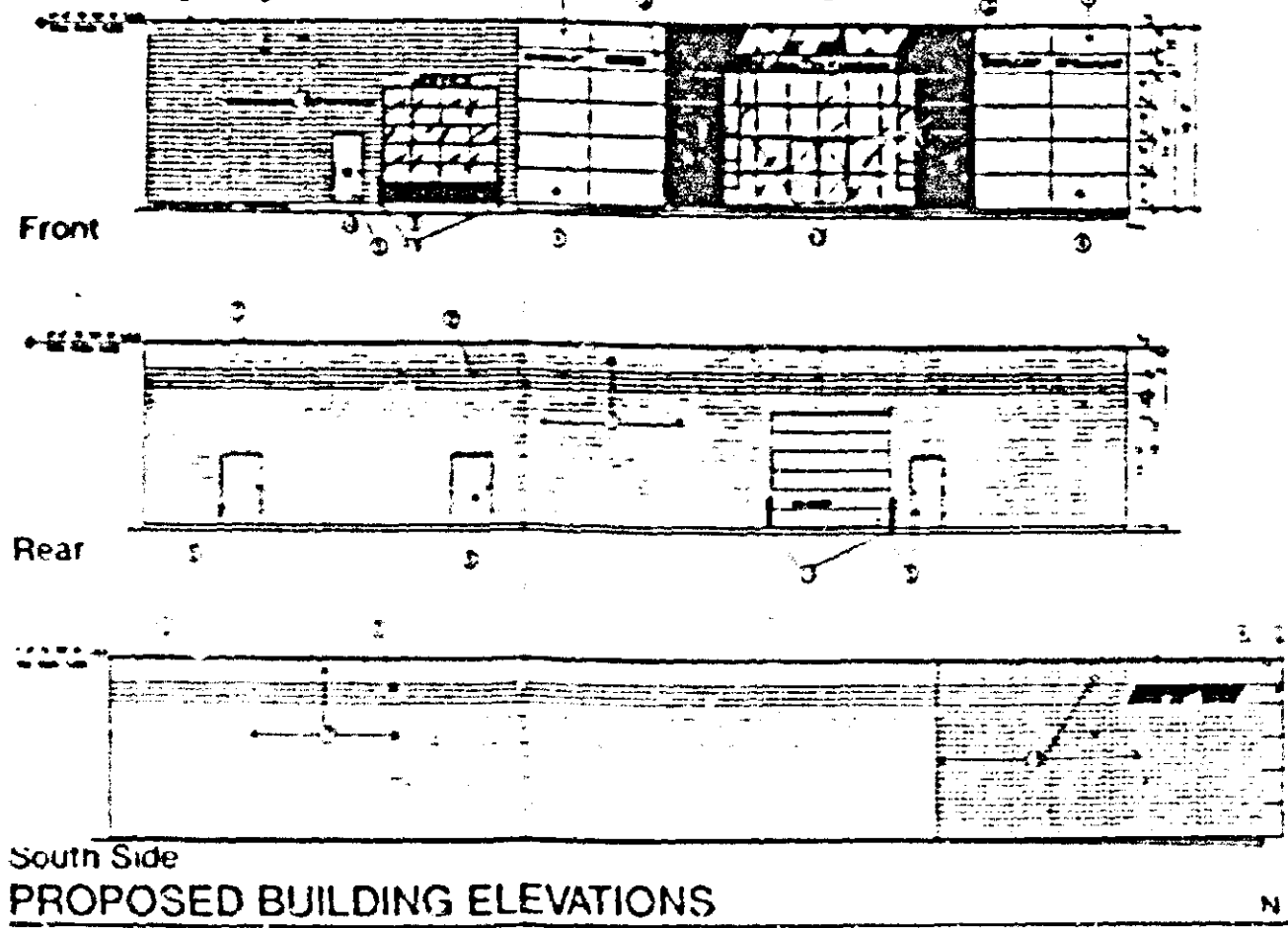
- General Notes**
- Owner: Green Valley Partnership, 2318 Research Drive, Woodridge, VA 22192
  - Contract: The Warehouse, 2318 Research Drive, Woodridge, VA 22192
  - Site Data: Tax Map 67 Block 12 Parcel 222, Cont. 1.94 Ac., Tax Account No. 03 07062530, Election District 3, Counciling District 4037 02
  - Site Acreage and Zoning: (net and gross) Acreage: 1.94 Ac. ± BM CNS (AS), 0.33 Ac. ± BM, 1.97 Ac. ±
  - Existing use: Retail: 9,050 s.f., Tavern: 2,200 s.f., Auto-wash (to be abandoned)
  - Proposed use: Service garage 11,138 s.f.
  - Floor Area Ratio (FAR): Allowed: 4.081 s.f./Ac. = 343,252 s.f., Proposed: 9,050 s.f. Ex. Retail, 2,200 s.f. Ex. Tavern, 11,138 s.f. Prop. Service Garage, 22,388 s.f. ± 26.48 FAR
  - Parking: Required: 9,050 s.f. Ex. Retail @ 5 ft. = 40 PS, 2,200 s.f. Ex. Tavern @ 20 ft. = 44 PS, 11,138 s.f. Prop. Service Garage @ 3 ft. 10 in. = 37 PS, Total = 121 PS. With shared parking adjustment (see chart) Provided: 90 exterior spaces + service bays = 99 PS. Parking will be paved with a durable, porous surface and striped. Standard spaces will be a minimum of 8 ft. x 18 ft.
  - No portion of the site is located within the Chesapeake Bay Critical Area.
  - There are no known wells, septic areas or underground tanks on this property.
  - There are no known streams, creeks or 100 year flood zones within 50 ft. of this site.
  - There shall be no outside storage of damaged or disused vehicles on this site.
  - A waiver of storm water management has been requested.
  - Landscaping will be provided in accordance with an appropriate section of the Baltimore County Zoning Regulations and the Baltimore County Landscape Manual.



SHARED PARKING ADJUSTMENT

USE	TOTAL SQUARE FEET	DAYTIME		EVENING		WEEKEND		NIGHTTIME	
		Req'd	Provided	Req'd	Provided	Req'd	Provided	Req'd	Provided
Office/Professional	0.00	100%	0.0	100%	0.0	100%	0.0	100%	0.0
Hotel	44.24	87%	37.7	95%	42.0	100%	44.2	100%	44.2
Shopping Center of 100,000 sq. ft. or less	0.00	90%	0.0	90%	0.0	100%	0.0	100%	0.0
Water/Water	0.00	75%	0.0	100%	0.0	75%	0.0	100%	0.0
Restaurant	0.00	90%	0.0	100%	0.0	100%	0.0	100%	0.0
Theater/Concert/Performance/Assembly	44.97	87%	39.1	100%	44.9	87%	39.2	100%	44.9
Other Uses	34.14	100%	34.1	100%	34.1	100%	34.1	100%	34.1
<b>TOTAL</b>	<b>129.35</b>		<b>81.8</b>		<b>121.0</b>		<b>117.3</b>		<b>117.3</b>

### REV. SCHEMATIC LANDSCAPING



PETITIONER'S EXHIBIT 1

**IDMW**  
Daft - McCune - Walker, Inc.  
200 East Pennsylvania Avenue, Baltimore, Maryland 21202  
Tel: 410-528-2151 Fax: 410-528-4100

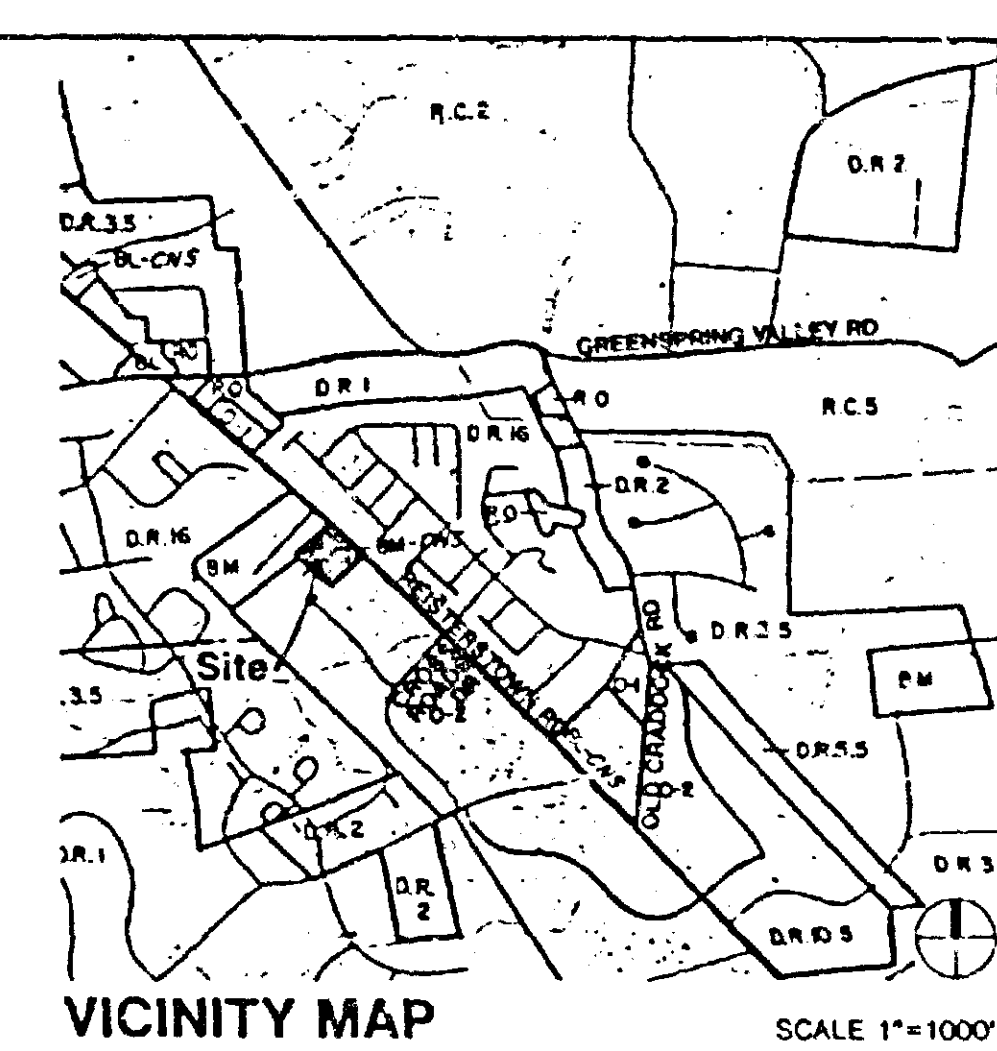
**PLAN TO ACCOMPANY PETITION FOR VARIANCE**  
**NATIONAL TIRE WAREHOUSE**  
9400-9424 REISTERSTOWN ROAD GARRISON, MD 21055

3rd ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

ISSUE DATES: REVIEW: 09 MAY 94  
BID: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
CONSTRUCT: 20 \_\_\_\_\_  
BASE: CMH  
DESIGN: MEP  
CHECKED BY: MCM, MT  
DATE CHECKED: \_\_\_\_\_  
SCALE: 1" = 20'  
PROJECT NO.: 94033  
DRAW NO.: 1 OF 1



94-469-X



- General Notes:
- Owner: Cohen Family Partnership  
600 Louis A. Cohen  
9424 Reisterstown Road  
Garrison, MD 21055
  - Contract License: National Tire Warehouse  
250 Research Drive  
Woodbridge, VA 22192  
(703) 443-1700
  - Site Data: Tax Map 67, Block 12, Parcel 222  
Deed Reference: 7417.37  
Tax Account No.: 03 07092530  
Election District: 3  
Countryside District  
Census Tract: 4037.02
  - Site Acreage and Zoning: (Net and Gross)  
Acreage = 1.94 Ac. ± BM CNS (AS)  
0.33 Ac. ± BM  
Total = 1.97 Ac. ±  
5. Existing use: Retail 9,050 s.f.  
Tavern 2,200 s.f.  
Auto leasing (to be abandoned)  
6. Proposed use: Service garage 11,138 s.f.
  - Floor Area Ratio (FAR):  
Allowed: 4.0 x 1.97 Ac. = 343,252 s.f.  
Proposed: 9,050 s.f. Ex. Retail  
2,200 s.f. Ex. Tavern  
11,138 s.f. Prop. Service Garage  
22,388 s.f. (26 FAR)
  - Existing auto leasing will be abandoned
  - Parking:  
Required: 9,050 s.f. Ex. Retail @ 5/1000 = 45 PS  
2,200 s.f. Ex. Tavern @ 20/1000 = 41 PS  
11,138 s.f. Prop. Service Garage @ 3.3/1000 = 37 PS  
Total = 123 PS  
With shared parking adjustment (see c. 47) = 122 PS  
Provided = 90 exterior spaces + 9 service bays = 99 PS  
Parking will be paved with a durable, dustless surface and striped. Standard spaces will be a minimum of 8.5 x 18 ft.
  - No portion of the site is located within the Chesapeake Bay Critical Area.
  - There are no known wells, septic areas or underground tanks on the property.
  - There are no known streams, seeps or 100 year flood plains within 50' of this site.
  - There shall be no outside storage of damaged or disabled vehicles on this site.
  - A waiver of storm water management has been requested.
  - Landscaping will be provided in accordance with all applicable sections of the Baltimore County Zoning Regulations and the Baltimore County Landscape Manual.

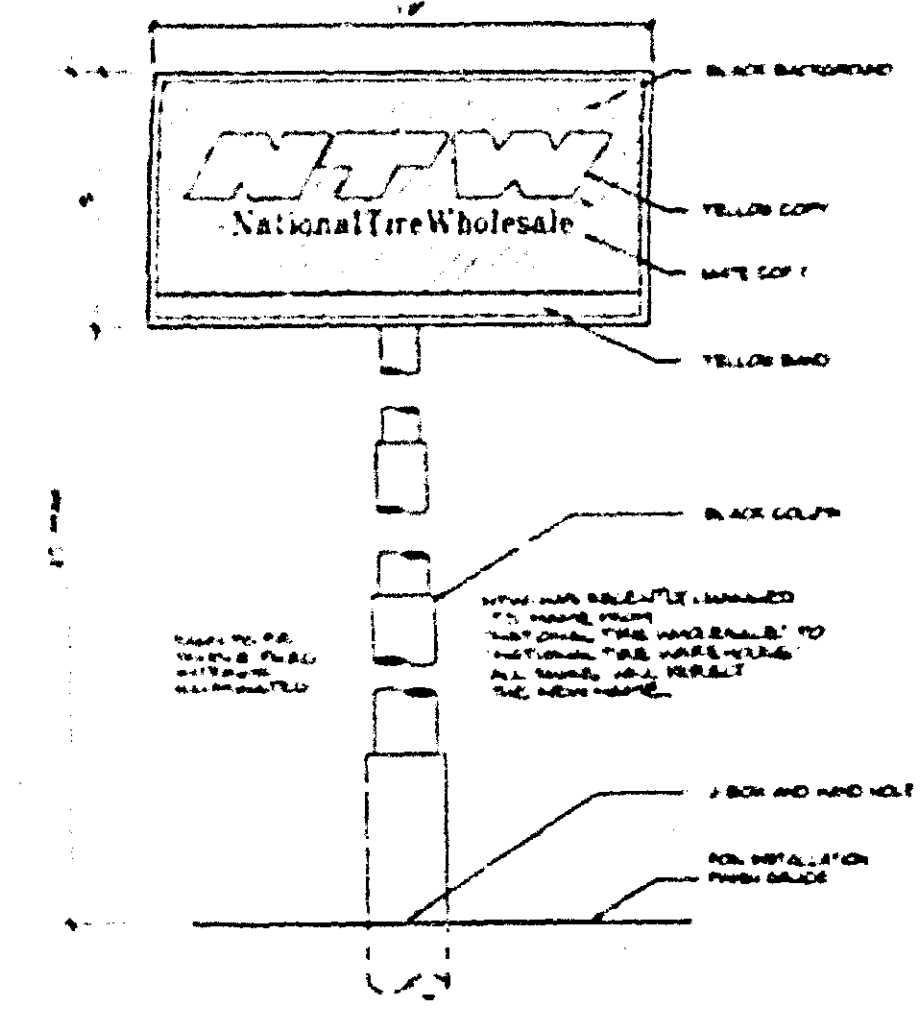
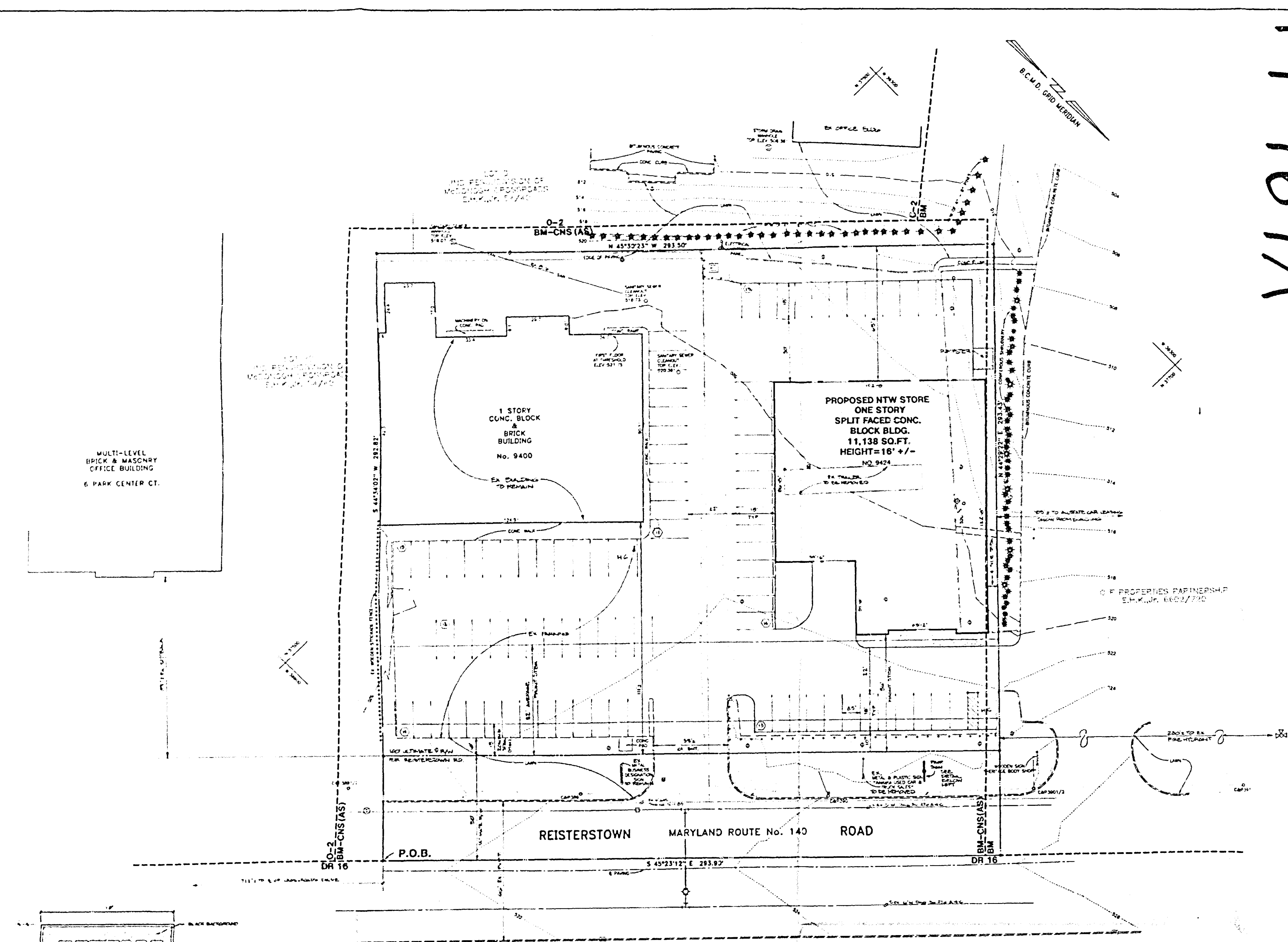
**DMW**  
Daft · McCune · Walker, Inc.  
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals  
270 East Pennsylvania Avenue  
Crownsville, Maryland 21032  
410 296 3333  
Fax 410 296 4700

PLAN TO ACCOMPANY  
PETITION FOR VARIANCE  
**NATIONAL TIRE WAREHOUSE**  
9400-9424 REISTERSTOWN ROAD GARRISON, MD 21055

3rd ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

ISSUE DATES  
REVIEW: 09 MAY 94  
BID: \_\_\_\_\_  
PERMIT: \_\_\_\_\_  
CONSTRUCTION: \_\_\_\_\_  
BASE: CWH  
DRAWN: MEP  
DESIGNED: REV  
CHECKED BY: JMW/JAT  
DATE CHECKED: \_\_\_\_\_  
SCALE: 1"=20'  
PROJECT NO.: 94033  
DRAWING: 1 OF 1

DATE BY REVISIONS  
450

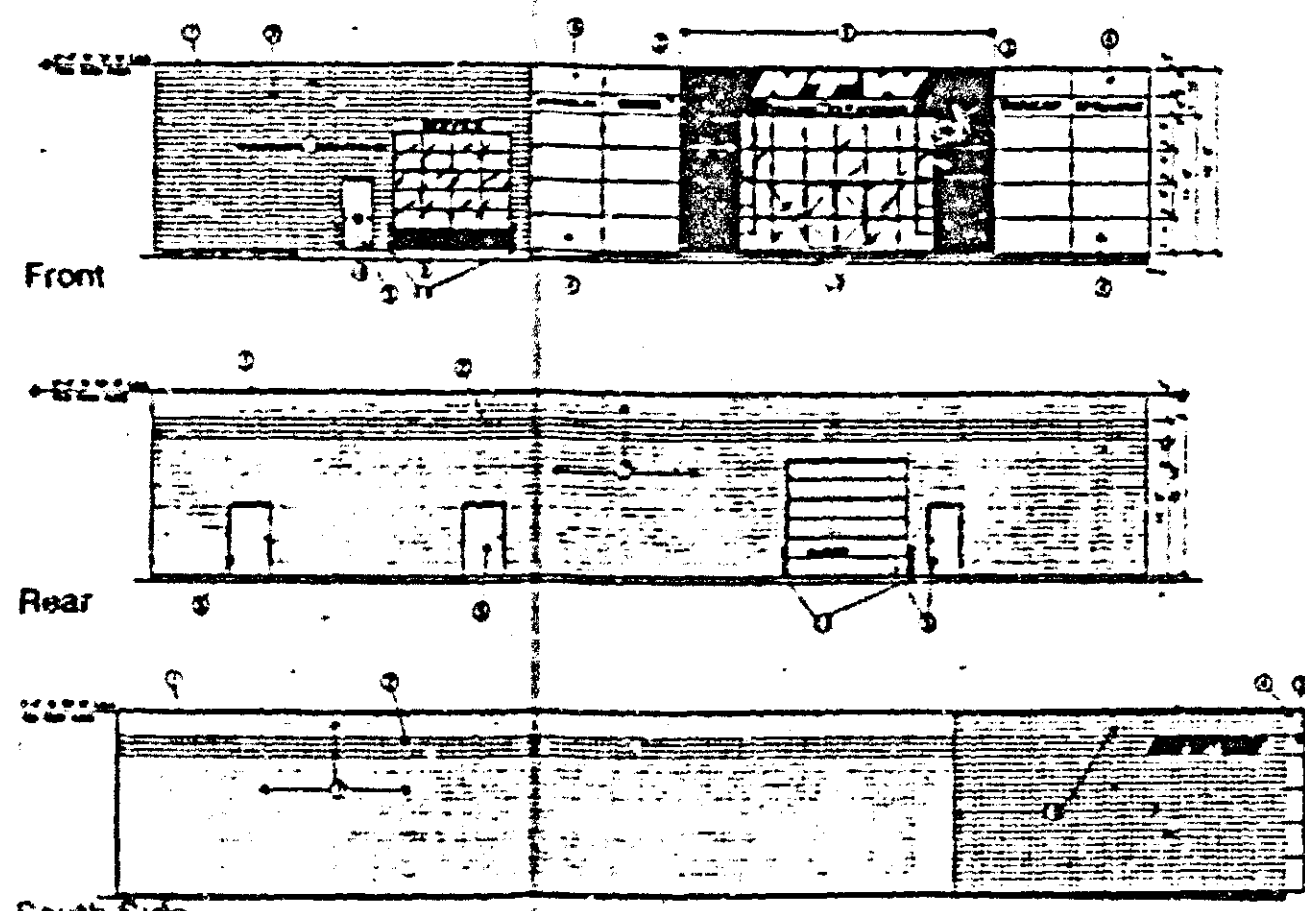


PROPOSED SIGN DETAIL NTS

USE	TOTAL SPACES REQUIRED	DAYTIME		EVENING		DAYTIME		EVENING		NIGHTTIME	
		8 AM - 5 PM	5 PM - 8 PM	5 PM - 8 PM	8 PM - 11 PM	8 AM - 5 PM	5 PM - 8 PM	8 PM - 11 PM	11 PM - 5 AM	5 AM - 8 AM	8 AM - 5 PM
Office/Industrial	0.00	100%	0.0	10%	0.0	10%	0.0	5%	0.0	5%	0.0
Retail	11.74	80%	27.2	80%	48.7	100%	48.3	75%	31.7	5%	2.0
Shopping Center of 118,000 sq. ft.	0.00	50%	0.0	50%	0.0	100%	0.0	75%	0.0	5%	0.0
Residential	0.00	75%	0.0	100%	0.0	75%	0.0	100%	0.0	75%	0.0
Restaurant	0.00	50%	0.0	100%	0.0	100%	0.0	100%	0.0	10%	0.0
Theater, Concert, Assembly, Church, Synagogue	11.00	50%	17.0	100%	14.0	80%	36.2	100%	48.0	10%	4.0
Other Uses	24.75	100%	24.8	100%	38.0	100%	38.0	100%	38.0	100%	38.0
TOTAL	122.54		81.0	127.48		117.35		112.7		67.4	

\*Typical Values: Total Equals Minimum Required Number of Parking Spaces (MS) per MS 24-66

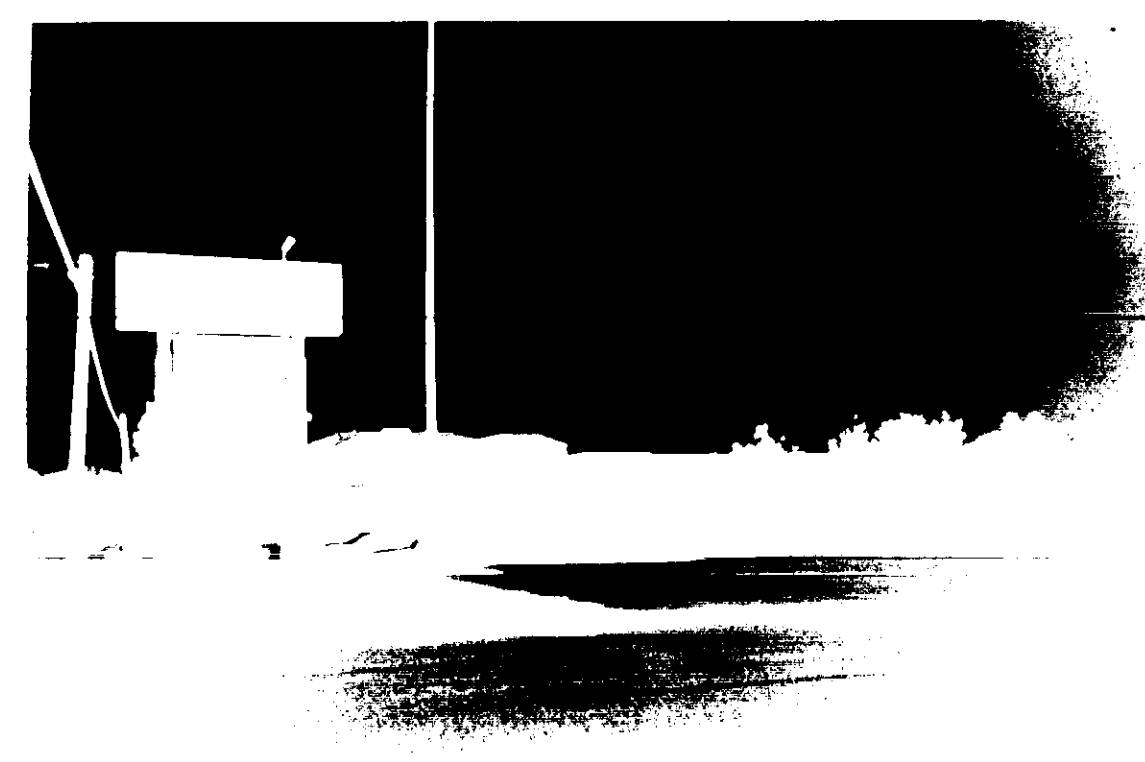
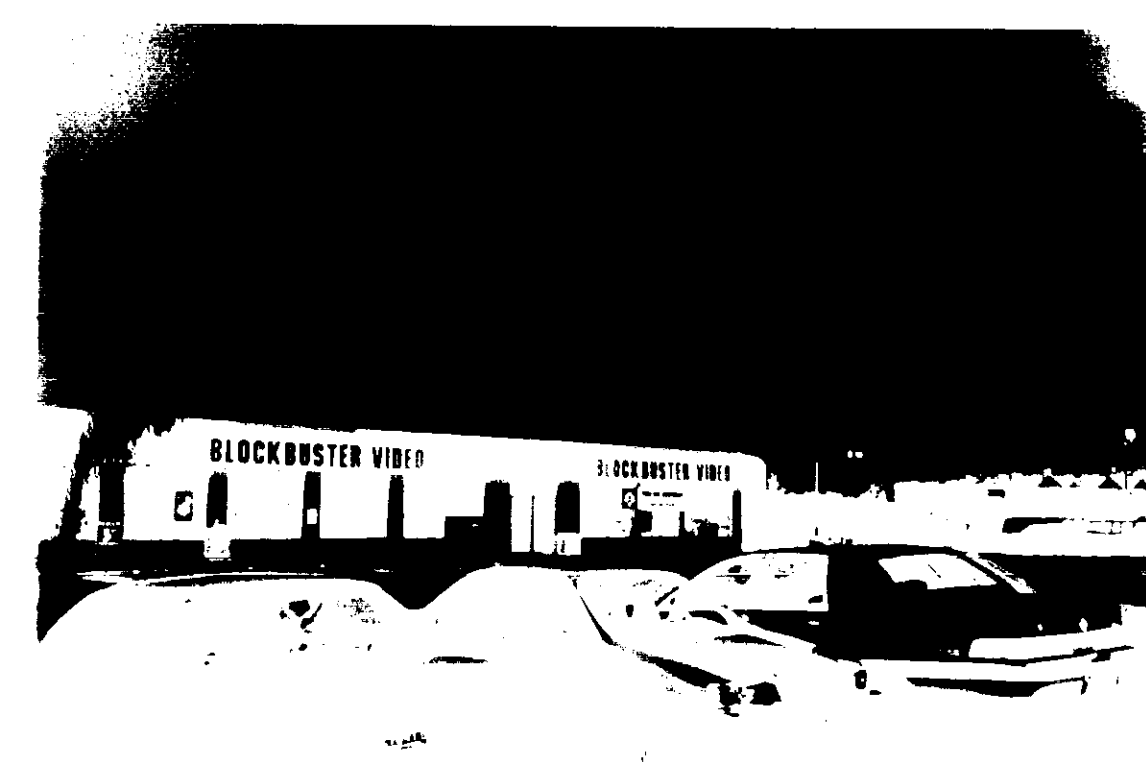
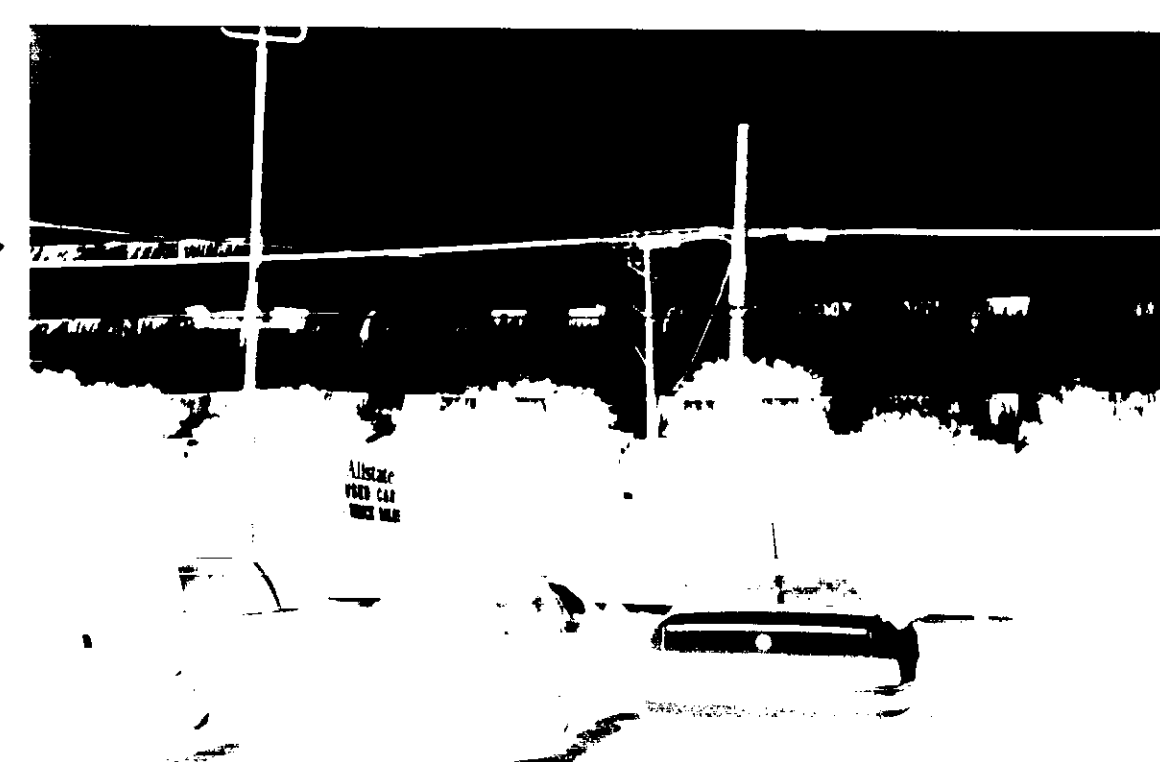
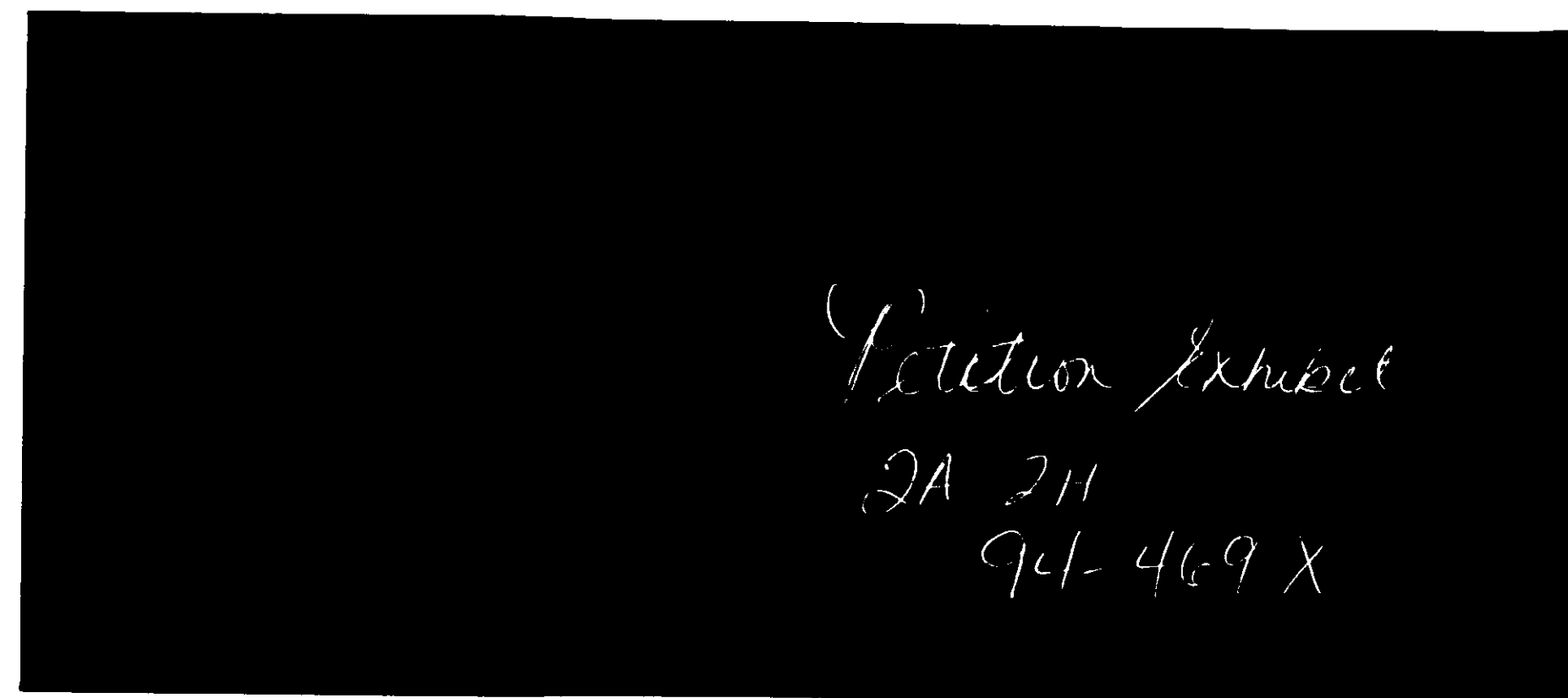
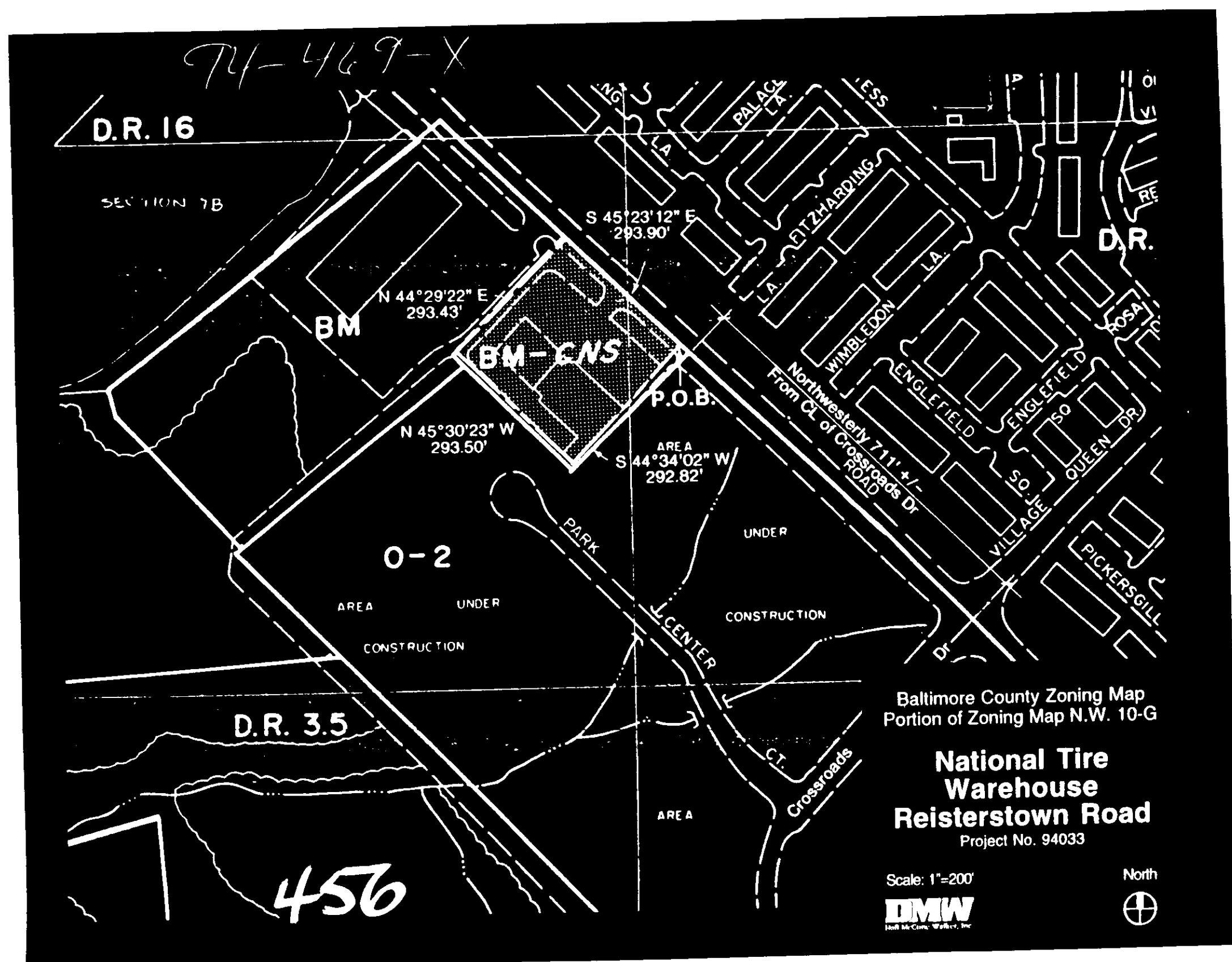
SHARED PARKING ADJUSTMENT



PROPOSED BUILDING ELEVATIONS NTS

PRINTED  
MAY 18 1994  
DAFT-MCCUNE-WALKER, INC.





**The Traffic Group**

June 28, 1994

Tri-Tek Engineering  
Mr. Ted Britt  
Suite 300  
690 Center Street  
Herndon, Virginia 22072-6003

**PETITIONER'S EXHIBIT 3**

Re: NTW Site - MD 140 (Reisterstown Road)  
Parking Variance  
Baltimore County, Maryland  
Our Job No.: 940608

Dear Mr. Britt:

As requested, The Traffic Group, Inc. has prepared an evaluation of the site plan for the proposed National Tire Warehouse facility to be located along the southwest side of Reisterstown Road in the vicinity of the Garrison, Maryland. Specifically, The Traffic Group, Inc. conducted a study to evaluate existing and future projected parking conditions based upon the petition for a parking variance. The results of our evaluation show that the proposed plan and accompanying parking will be sufficient to accommodate the existing uses and the proposed development of the National Tire Warehouse facility.

The site is located along the southwest side of Reisterstown Road and is presently developed with a one-story commercial building containing a Blockbuster video store, tavern and communication store. In addition to those uses, the site also has a Thrifty Car Rental trailer and accompanying storage of vehicles. Access to the property is provided by a 35 ft. commercial entrance which is located between the commercial building and the auto rental facility. A chain link fence currently exists

*The Traffic Group, Inc.  
Suite 600  
40 W. Chesapeake Avenue  
Towson, Maryland 21204  
410-583-8403  
Fax 410-321-9458*

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: June 14, 1994

SUBJECT: 9400 Reisterstown Road

INFORMATION:

Item Number: 456

Petitioner: Cohen-Fader Partnership

Property Size:

Zoning: B.M.-C.N.S.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant should meet with planning staff to determine the degree to which the subject property can comply with the landscape requirements of the Reisterstown Road Corridor Study. In addition, staff recommends a ground mounted sign be substituted for the proposed pole sign since this action would contribute to an ongoing effort to reduce sign clutter along major corridors and reinforce efforts to improve the appearance and image of the County's Community Conservation Areas.

Prepared by: *Gaffney, M. L.*

Division Chief: *Coughlin, M.*

PK/JL:lw

ZAC:456/PZONE/ZAC1

Pg. 1

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 6, 1994

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Case No. 94-469-X, Item No. 456  
Petition for Variance

Dear Mr. Hoffman:

Enclosed are copies of comments received from the Office of Planning and Zoning on July 5, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

*Charlotte Minton*  
Charlotte Minton

Enclosure

Printed with Soybean Ink  
on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 26, 1994

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Preliminary Petition Review (Item #456)  
Legal Owner: Cohen-Fader Partnership  
Contact Purchaser: National Tire  
Warehouse, Inc.  
9400 Reisterstown Road  
3rd Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

*Joseph C. Merrey*  
Joseph C. Merrey  
Planner I

JCM:scj

Enclosure (receipt)

cc: Zoning Commissioner

Printed with Soybean Ink  
on Recycled Paper

RE: PETITION FOR VARIANCE  
9400-9424 Reisterstown Road  
SW/S Reisterstown Road, 711 feet NW of  
Village Queen Drive, 3rd Election Dist.,  
3rd Councilmanic Dist.  
Cohen-Fader Partnership  
Petitioners  
BEFORE THE  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY  
CASE NO.: 94-469-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of May, 1994, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

VENABLE, BAETJER AND HOWARD  
ATTORNEYS AT LAW  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21288-5517

Ms. Gwen Stephens  
Baltimore County  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
930 Gladway Road/ SW/S Gladway Road,  
2300 feet SE of c/l Bird River Road  
15th Election Dist., 5th Councilmanic  
Forward Development Company  
Petitioners  
BEFORE THE  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY  
CASE NO.: 94-469-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to John B. Contrum, Esquire, Romadka, Contrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
JUN 8 1994  
ZADM

VENABLE, BAETJER AND HOWARD

BALTIMORE, MD  
WASHINGTON, D.C.  
MCLEAN, VA  
ROCKVILLE, MD

RICHARD H. VENABLE (202) 838-1801  
EDWIN S. BAETJER (202) 838-1802  
CHARLES RICH HOWARD (301) 767-1847

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21288-5517  
1410 494-8200  
FAX 1410 821-0147

May 19, 1994

WRITER'S DIRECT NUMBER IS

Hand Delivered

Mrs. Julie Winiarski  
Baltimore County Zoning Office  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: National Tire Warehouse  
Proposed Site: 9400 Reisterstown Road  
Petition for Parking Variance

Dear Julie:

Enclosed for processing, please find the Petition for Zoning Variance for the proposed National Tire Warehouse to be located on Reisterstown Road. Please hold off on distributing the plans to the various county agencies as we have a filing appointment on Wednesday, May 25 to review the request and may need to make revisions at that time.

Should you have any questions, please give me a call.

Yours truly,

*Barbara W. Ormord*  
Barbara W. Ormord  
Legal Assistant

Enclosure

cc: Robert A. Hoffman, Esquire  
G. Page Wingert, Esquire

VENABLE, BAETJER AND HOWARD

BALTIMORE, MD  
WASHINGTON, D.C.  
MCLEAN, VA  
ROCKVILLE, MD

RICHARD H. VENABLE (202) 838-1801  
EDWIN S. BAETJER (202) 838-1802  
CHARLES RICH HOWARD (301) 767-1847

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21288-5517  
1410 494-8200  
FAX 1410 821-0147

May 24, 1994

WRITER'S DIRECT NUMBER IS

Ms. Gwen Stephens  
Baltimore County  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: National Tire Warehouse  
East Joppa Rd. - Request for Special Exception (Item # 455)  
Reisterstown Rd. - Request for Variance (Item # 456)

Dear Gwen:

The above-referenced Petitions were "drop-filed" by us at your office late last week on behalf of National Tire Warehouse. Because the hearings for each of these cases will necessitate bringing in out-of-state witnesses, we would respectfully request that you please schedule both hearings for the same day.

Your assistance would be most appreciated. Please call should you have any questions.

Kind regards,

Sincerely,

*G. Page Wingert*  
G. Page Wingert

GPW/dok

cc Robert A. Hoffman, Esquire

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Rob Hoffman</i>	<i>210 Allegheny</i>
<i>Ted Galt</i>	<i>670 Center St.</i>
<i>Mickey Conchun</i>	<i>40 W. Chesapeake Ave</i>
<i>Shirley Fader</i>	<i>P.O. Box 70 Linthicum Md. 21090</i>

Printed with Soybean Ink  
on Recycled Paper

**receipt**  
94-469-X

Account: R0016150  
Number: 11111111  
DROPOUT PETITION: NO REVIEW

Date: 05/09/94

Please Make Checks Payable To: Baltimore County

Cashier Validation

**VENABLE, BAETJER & HOWARD**

CHECK NO: 0002637

OUR REF. NO.	YOUR INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	05/09/94		\$285.00			
25428:110627 - National Tire Warehouse/Reisterstown						
Baltimore County, Maryland						
Variance Petition and posting fee						

456

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Carl Jablon*  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 456  
Petitioner: NAT'L TIRE WAREHOUSE  
Location: 9400 REISTERSTOWN RD.  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: VENABLE, BAETJER & HOWARD  
ADDRESS: 210 ALLEGHENY AVE.  
TOWSON, MD 21204  
PHONE NUMBER: 494-6200

**MUST BE SUPPLIED**

TO: POTTERY PUBLISHING COMPANY  
June 2, 1994 Issue - Jeffersonian

Please forward billing to:  
Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204  
494-6200

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-469-X (Item 456)  
9400 Reisterstown Road  
SW/S Reisterstown Road, 711 feet NW of Village Queen Drive  
3rd Election District - 3rd Councilmanic  
Legal Owner: Cohen-Fader Partnership  
Contract Purchaser: National Tire Warehouse, Inc.  
HEARING: WEDNESDAY, JUNE 29, 1994 at 10:00 p.m., Rm. 118 Old Courthouse

Variance to permit 99 parking spaces in lieu of the required 122 parking spaces.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

LABRENCE E. SCHULTZ  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

May 26, 1994

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-469-X (Item 456)  
9400 Reisterstown Road  
SW/S Reisterstown Road, 711 feet NW of Village Queen Drive  
3rd Election District - 3rd Councilmanic  
Legal Owner: Cohen-Fader Partnership  
Contract Purchaser: National Tire Warehouse, Inc.  
HEARING: WEDNESDAY, JUNE 29, 1994 at 10:00 p.m., Rm. 118 Old Courthouse

Variance to permit 99 parking spaces in lieu of the required 122 parking spaces.

*Carl Jablon*  
ARNOLD JABLON, DIRECTOR

cc: Cohen-Fader Partnership  
Robert A. Hoffman, Esquire  
National Tire Warehouse, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

June 17, 1994

Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Case No. 456, Item No. 94-469-X  
Petition for Variance  
Petitioner: Cohen-Fader Partnership

Dear Mr. Hoffman:

The above-referenced petition and accompanying plans were accepted for filing on May 20, 1994 and a hearing was scheduled accordingly. Respectively, the Zoning Advisory Committee (ZAC) has reviewed those plans. Enclosed are copies of the comments received to date from the reviewing agency/agencies offering or requesting information on the petition. These comments are not intended to indicate the appropriateness of the zoning action requested, but rather to ensure that all parties; i.e., zoning commissioner, attorney, and/or petitioner, are aware of any issues that may have a bearing on this case. Should we receive any additional informative comments, they will be forwarded to you immediately. (Comments that are not informative are placed in the case file; you will not receive a copy.)

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby those zoning attorneys who regularly file petitions that comply with all aspects of the zoning regulations and petition(s) filing requirements can file their petition(s) with this office without the necessity of a preliminary review by zoning personnel. However, previous staff reviews and violations must be identified at that time.

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: June 13, 1994  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Developers Engineering Section

RE: Zoning Advisory Committee Meeting for June 8, 1994  
Item No. 456

The Developers Engineering Section has reviewed the subject zoning item. A schematic landscape plan must be submitted for review and tentatively approved as a condition of approval of the Development Plan.

RWB:aw

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500 (410) 887-4500

DATE: 05/25/94

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner:SEE BELOW  
LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

S. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 444, 446, 455, AND 456.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: June 27, 1994  
ZADM

FROM: Robert W. Bowling, Chief  
Developers Engineering Section

SUBJECT: Zoning Advisory, Landscape Comments For National Tire Warehouse At 9400-9424 Reisterstown Road, Item #456

A schematic landscape plan has been submitted to and reviewed by this office.

Additional street trees and shrub plantings along Reisterstown Road will be sought for the final landscape plan. Appropriate visibility of signs and building facade will be maintained.

It is understood by this office that the Zoning Commissioner may adjust landscape requirements.

RWB:BAH:sik  
cc: File

**RECEIVED**  
JUN 28 1994  
ZONING COMMISSIONER



IN RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road, 711' NW  
Village Queen Drive  
(9400 Reisterstown Road)  
3rd Election District  
3rd Councilmanic District  
Cohen-Fader Partnership  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-469-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 9400 Reisterstown Road, located in the Garrison area of Reisterstown in northern Baltimore County. The Petition was filed by the owners of the property, the Cohen-Fader Partnership, by Steve Fader, General Counsel, and the Contract Purchaser, National Tire Warehouse, Inc., by Brian Sexton, Executive Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 99 parking spaces in lieu of the required 122 parking spaces. The property and relief sought are more particularly described on the plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Steve Fader for the Cohen-Fader Partnership, Ted Britt with Tri-Tech Engineering, Regional Consultants for the National Tire Warehouse, Inc., Mickey Cornelius with The Traffic Group, Jean Tansey, a landscape planner with Daft-McCune-Walker, Inc., and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 1.97 acres, more or less, split zoned RM-CNS (AS) and BM. The property is improved with a one-story concrete, block and brick build-

ing which currently houses a Blockbuster Video store and a small office trailer which is used by the Thrifty Car Rental business. The Petitioners are desirous of developing the site with a one-story split based concrete block building of 11,138 sq.ft. to house a National Tire Warehouse (NTW) franchise. NTW specializes in the sale and installation of automobile tires and ancillary automotive mechanical repairs. The new building will replace the existing trailer and the Thrifty Rental Car business, which will no longer operate from this site. Due to the size of the property and the location of existing improvements thereon, the requested parking variance is necessary.

Entered into evidence as Petitioner's Exhibit 3 was a parking study prepared by Mr. Mickey Cornelius, Vice President of The Traffic Group. This study demonstrates that the requested parking variance would have no detrimental effect on the surrounding locale and that sufficient parking exists to serve both the Blockbuster Video Store as well as the proposed NTW franchise.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8<sup>th</sup> day of July, 1994 that the Petition for Variance seeking relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 99 parking spaces in lieu of the required 122 parking spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall provide the landscaping depicted on Petitioner's Exhibit 1 as soon as weather conditions permit.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

July 8, 1994

(410) 887-4386

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road, 711' NW Village Queen Drive  
(9400 Reisterstown Road)  
3rd Election District - 3rd Councilmanic District  
Cohen-Fader Partnership - Petitioners  
Case No. 94-469-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Steve Fader  
Cohen-Fader Partnership, 9428 Reisterstown Rd., Garrison, Md. 21055

Mr. Brian Sexton, Executive Vice President, National Tire Warehouse,  
2359 Research Drive, Woodbridge, Va. 22192-4607

People's Counsel

File

## Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9400 Reisterstown Road

which is presently zoned RM-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) to permit 99 parking spaces in lieu of the required 122 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)  
To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations 1, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:

National Tire Warehouse, Inc.

By: [Signature]

Brian Sexton, Executive Vice-President

Address: 2359 Research Drive  
Woodbridge, Virginia 22192-4607

City

State

Zip Code

County

Country

Telephone

Fax

E-mail

Internet

Other

Comments

Notes

Attachments

Enclosures

Exhibits

References

Signatures

Dates

Witnesses

Notarization

Other

Comments

Notes

Attachments

Enclosures

Exhibits

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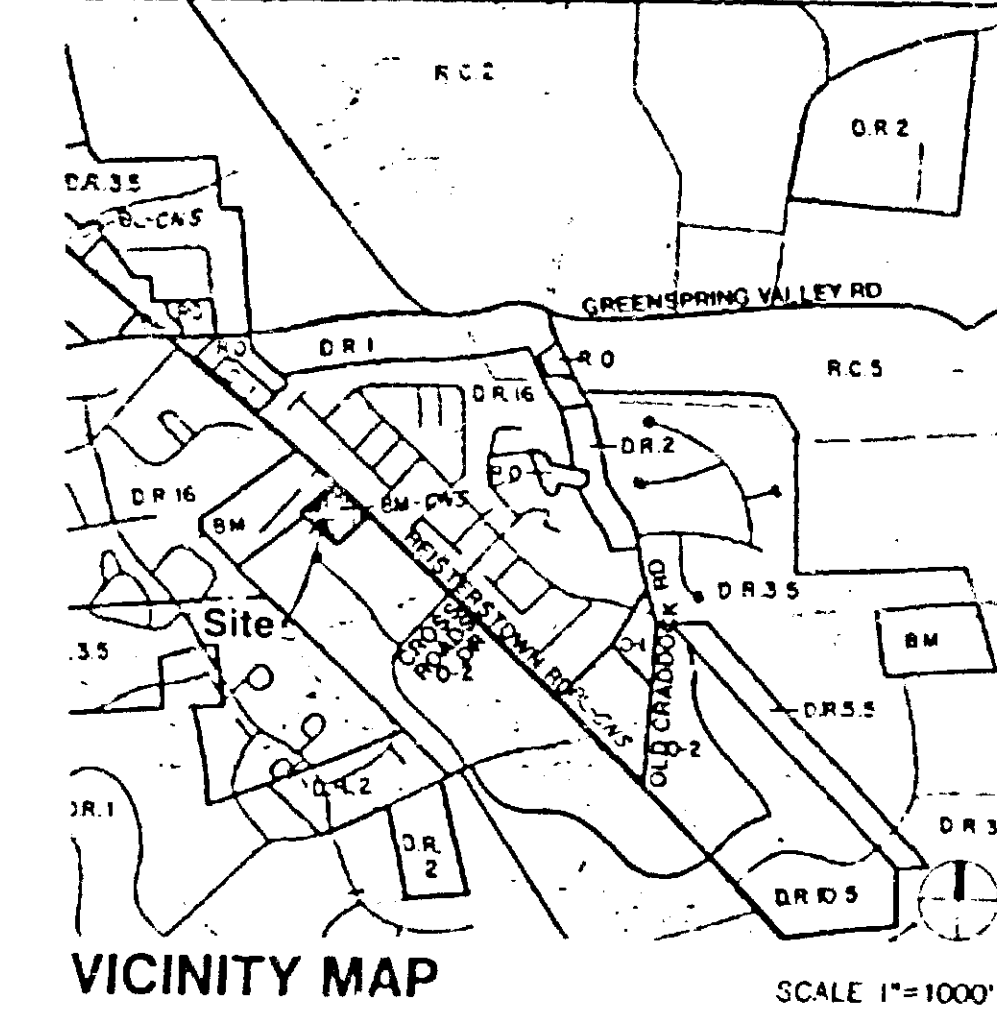
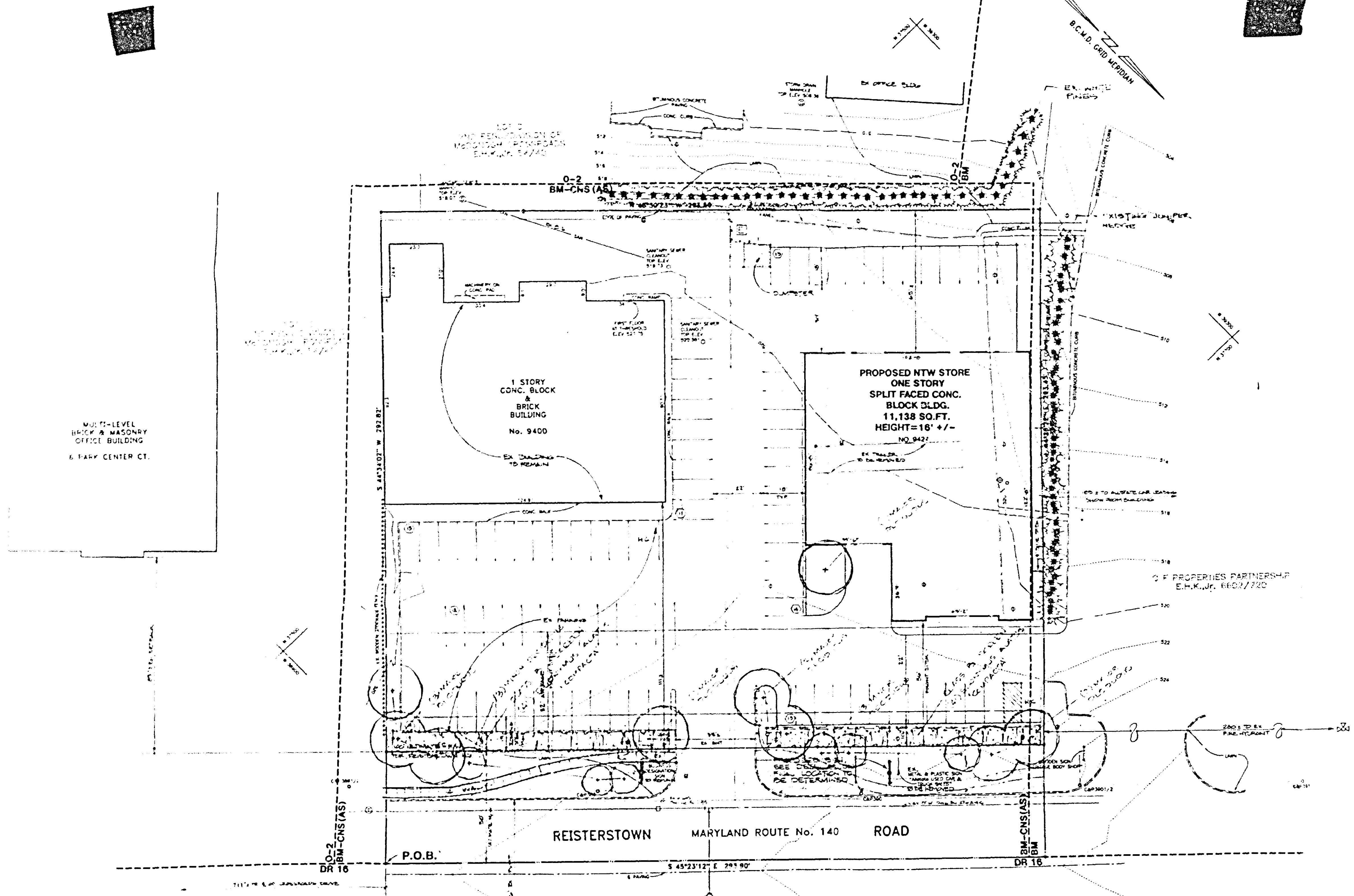
Exhibits

References

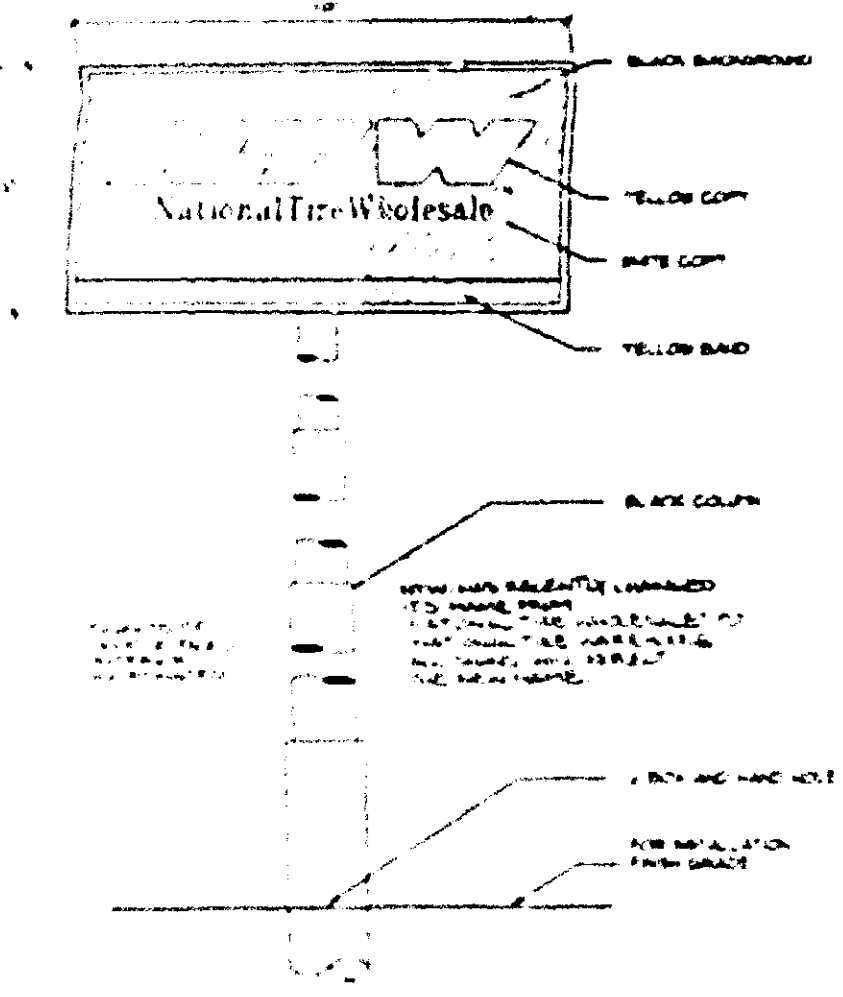
Signatures

Dates





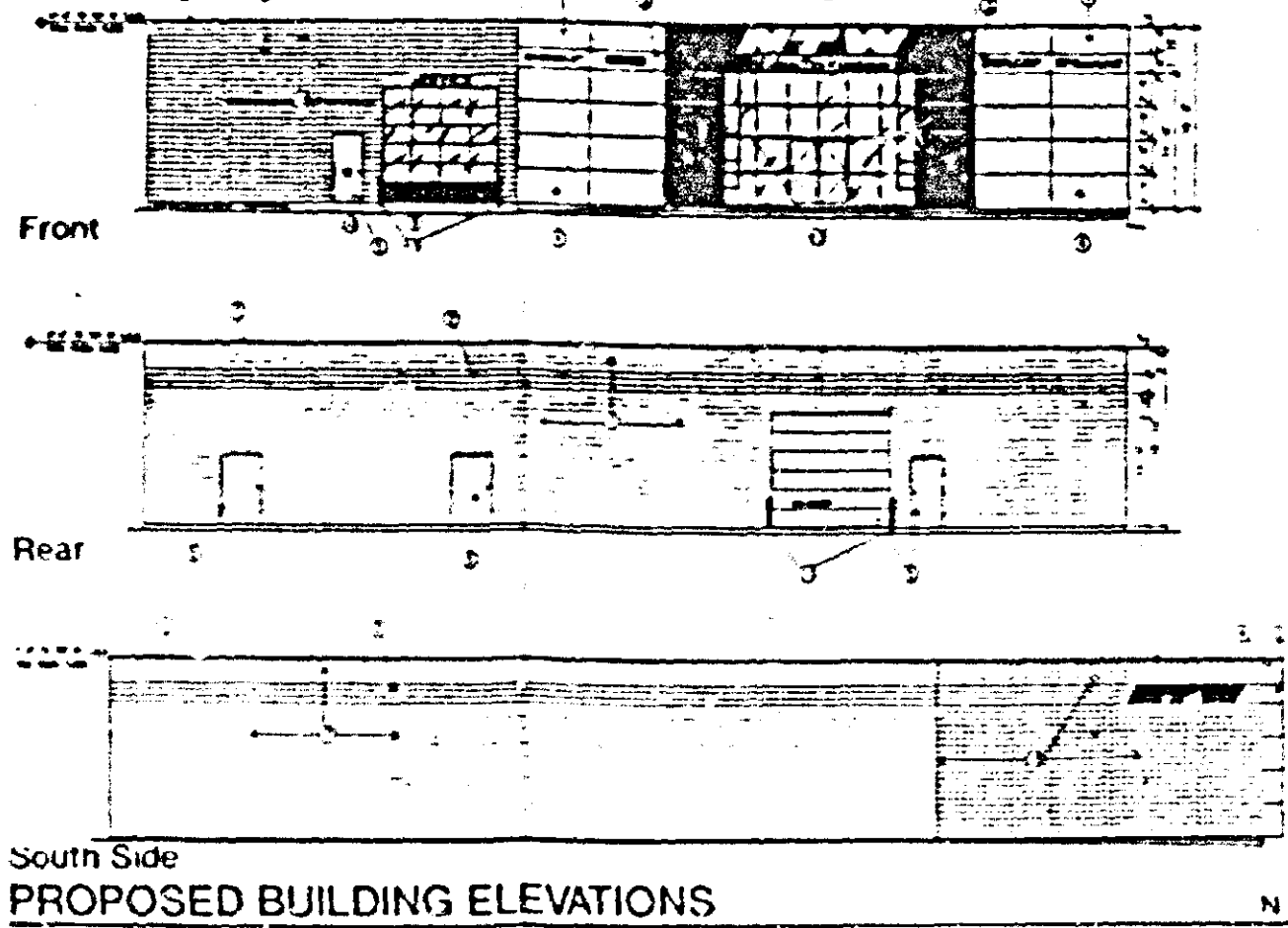
- General Notes**
- Owner: Chien Fung Partnership, 6710 Lous A. Cohen, 3418 Reisterstown Road, Garrison, MD 21055
  - Contractor: National Tire Warehouse, 2318 Research Drive, Woodbridge, VA 22192, (703) 543-1700
  - Site Data: Tax Map 67 Block 12 Parcel 222, Cont. Reference: 7412.37, Tax Account No: 03 07062530, Election District: 3, Counting District: 4037 02
  - Site Acreage and Zoning (net and Gross):  
 Acreage: 1.94 Ac. ± BM CNS (AS)  
 Total: 1.97 Ac. ±
  - Existing use: Retail: 9,050 s.f., Tavern: 2,200 s.f., Auto-washing (to be abandoned)
  - Proposed use: Service garage 11,138 s.f.
  - Floor Area Ratio (FAR):  
 Allowed: 4.081 s.f./Ac. = 343,252 s.f.  
 Proposed: 9,050 s.f. Ex. Retail, 2,200 s.f. Ex. Tavern, 11,138 s.f. Prop. Service Garage, 22,388 s.f. ± 26.8 FAR
  - Parking:  
 Required: 9,050 s.f. Ex. Retail @ 5 ft. = 40 PS, 2,200 s.f. Ex. Tavern @ 20 ft. = 44 PS, 11,138 s.f. Prop. Service Garage @ 3.3 ft. = 33 PS, Total = 127 PS  
 With shared parking adjustment (see chart):  
 Provided: 90 exterior spaces + service bays = 99 PS  
 Parking will be paved with a durable, dust-free surface and striped. Standard spaces will be a minimum of 8' x 18'.
  - No portion of the site is located within the Chesapeake Bay Critical Area.
  - There are no known wells, septic areas or underground tanks on this property.
  - There are no known streams, creeks or 100 year flood zones within 50' of this site.
  - There shall be no outside storage of damaged or disused vehicles on this site.
  - A waiver of storm water management has been requested.
  - Landscaping will be provided in accordance with an appropriate section of the Baltimore County Zoning Regulations and the Baltimore County Landscape Manual.



SHARED PARKING ADJUSTMENT

USE	TOTAL SQUARE FEET	DAYTIME		EVENING		WEEKEND		NIGHTTIME	
		Req'd	Provided	Req'd	Provided	Req'd	Provided	Req'd	Provided
Office/Professional	0.00	100%	0.0	100%	0.0	100%	0.0	0%	0.0
Hotel	44.24	87%	37.7	85%	40.7	100%	40.3	78%	31.7
Shopping Center of 100,000 sq. ft. or less	0.00	90%	0.0	90%	0.0	100%	0.0	0%	0.0
Water/Water	0.00	75%	0.0	100%	0.0	75%	0.0	0%	0.0
Restaurant	0.00	90%	0.0	100%	0.0	100%	0.0	0%	0.0
Theater/Concert/Performance/Assembly	44.97	87%	37.4	100%	44.0	85%	39.2	100%	44.0
Other Uses	34.14	100%	34.1	100%	34.1	100%	34.1	100%	34.1
<b>TOTAL</b>	<b>128.35</b>		<b>81.53</b>		<b>124.89</b>		<b>117.25</b>		<b>117.41</b>

### REV. SCHEMATIC LANDSCAPING



PETITIONER'S EXHIBIT 1

**IDMW**  
Daft - McCune - Walker, Inc.  
A Team of Land Planners, Architects, Engineers & Environmental Consultants  
200 East Pennsylvania Avenue, Baltimore, Maryland 21202  
Phone: 410-528-2100 Fax: 410-528-4100

**PLAN TO ACCOMPANY PETITION FOR VARIANCE**  
**NATIONAL TIRE WAREHOUSE**  
9400-9424 REISTERSTOWN ROAD GARRISON, MD 21055

3rd ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

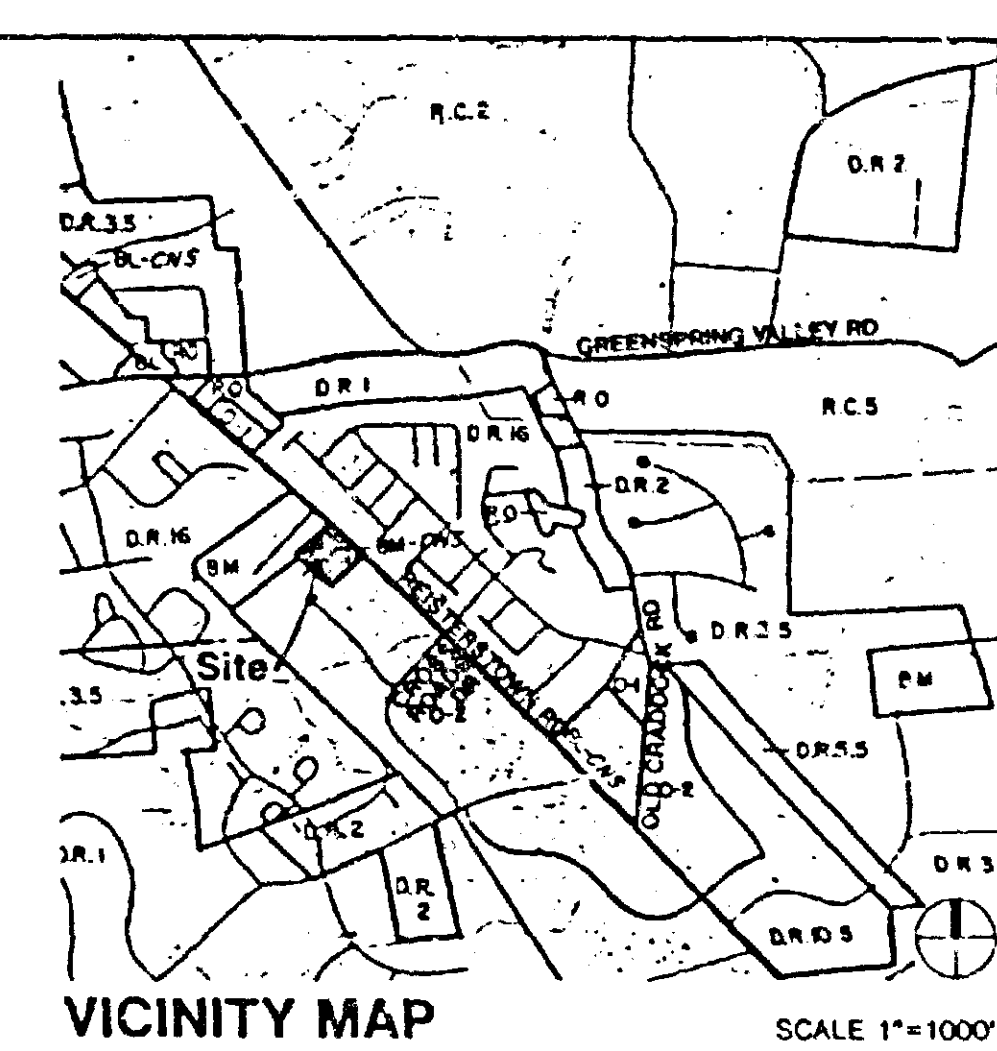
ISSUE DATES  
REVIEW: 09 MAY 94  
BID: \_\_\_\_\_  
PLANNING: \_\_\_\_\_  
CONSTRUCTION: \_\_\_\_\_

DATE BY: \_\_\_\_\_ REVISIONS: \_\_\_\_\_

BASE: CMH  
DESIGNED: MEP  
CHECKED BY: MCM, MT  
DATE CHECKED: \_\_\_\_\_  
SCALE: 1" = 20'  
PROJECT NO.: 94033  
DRAWING: 1 OF 1



94-469-X



- General Notes:**
- Owner: Cohen Family Partnership  
600 Louis A. Cohen  
9424 Reisterstown Road  
Garrison, MD 21055
  - Contract License: National Tire Warehouse  
250 Research Drive  
Woodbridge, VA 22192  
(703) 443-1700
  - Site Data: Tax Map 67, Block 12, Parcel 222  
Deed Reference: 74137.37  
Tax Account No.: 03 07092530  
Election District: 3  
Countryside District  
Census Tract: 4037.02
  - Site Acreage and Zoning: (Net and Gross)  
Acreage = 1.94 Ac. ± BM CNS (AS)  
0.33 Ac. ± BM  
Total = 1.97 Ac. ±  
5. Existing use: Retail 9,050 s.f.  
Tavern 2,200 s.f.  
Auto leasing (to be abandoned)  
6. Proposed use: Service garage 11,138 s.f.
  - Floor Area Ratio (FAR)  
Allowed: 4.0 x 1.97 Ac. = 343,252 s.f.  
Proposed: 9,050 s.f. Ex. Retail  
2,200 s.f. Ex. Tavern  
11,138 s.f. Prop. Service Garage  
22,388 s.f. (28 FAR)
  - Existing auto leasing will be abandoned
  - Parking  
Required: 9,050 s.f. Ex. Retail @ 5/1000 = 45 PS  
2,200 s.f. Ex. Tavern @ 20/1000 = 41 PS  
11,138 s.f. Prop. Service Garage @ 3.3/1000 = 37 PS  
Total = 123 PS  
With shared parking adjustment (see c. 11) = 122 PS  
Provided = 90 exterior spaces + 9 service bays = 99 PS  
Parking will be paved with a durable, dustless surface and striped. Standard spaces will be a minimum of 8.5 x 18 ft.
  - No portion of the site is located within the Chesapeake Bay Critical Area.
  - There are no known wells, septic areas or underground tanks on the property.
  - There are no known streams, seeps or 100 year flood plains within 50' of this site.
  - There shall be no outside storage of damaged or disabled vehicles on this site.
  - A waiver of storm water management has been requested.
  - Landscaping will be provided in accordance with all applicable sections of the Baltimore County Zoning Regulations and the Baltimore County Landscape Manual.

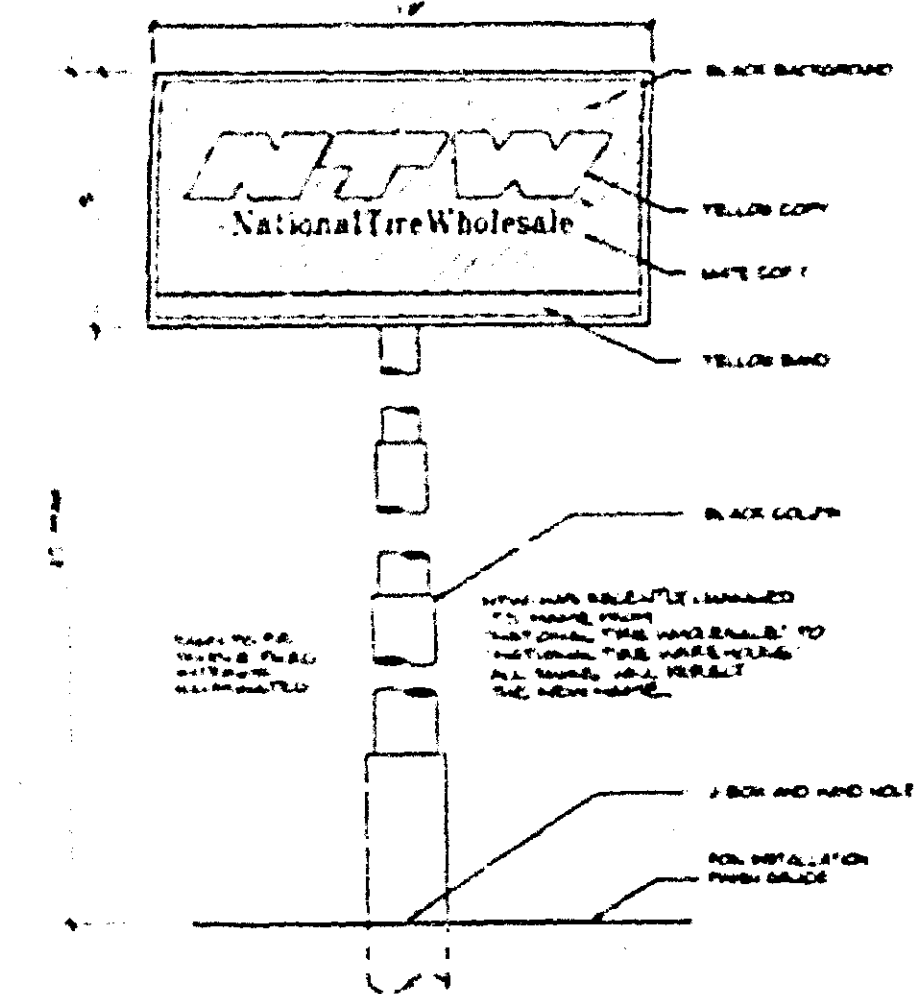
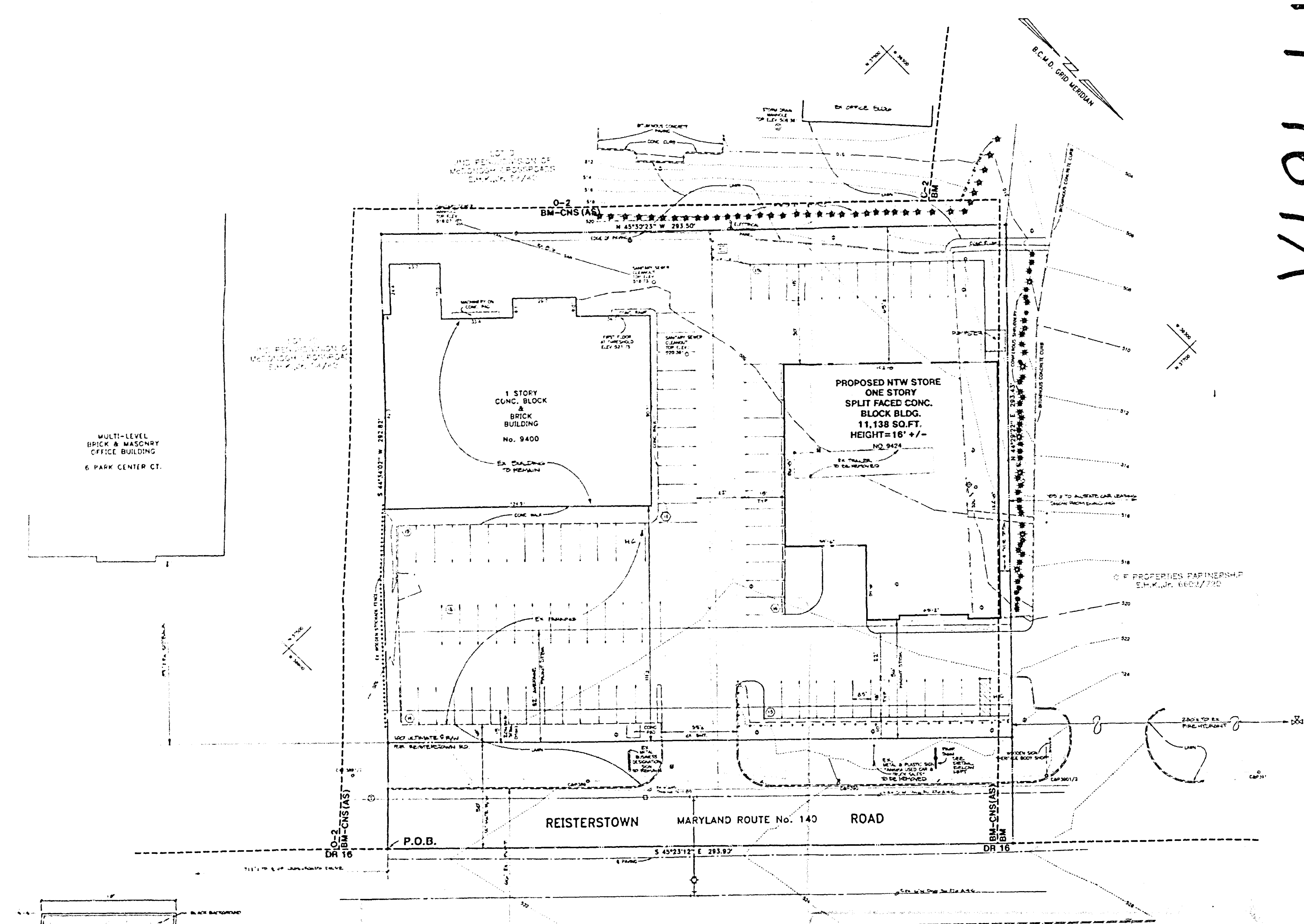
**DMW**  
Daft · McCune · Walker, Inc.  
A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals  
270 East Pennsylvania Avenue  
Crown Point, Indiana 46032  
Tel: 317 296 3333  
Fax: 317 296 4700

**PLAN TO ACCOMPANY  
PETITION FOR VARIANCE**  
**NATIONAL TIRE WAREHOUSE**  
9400-9424 REISTERSTOWN ROAD GARRISON, MD 21055

3rd ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

**ISSUE DATES**  
REVIEW: 09 MAY 94  
BID: \_\_\_\_\_  
PERMIT: \_\_\_\_\_  
CONSTRUCTION: \_\_\_\_\_  
BASE: CWH  
DRAWN: MEP  
DESIGNED: REV  
CHECKED BY: JMW/JAT  
DATE CHECKED: \_\_\_\_\_  
SCALE: 1" = 20'  
PROJECT NO.: 94033  
DRAWING: 1 OF 1

DATE BY REVISIONS  
450

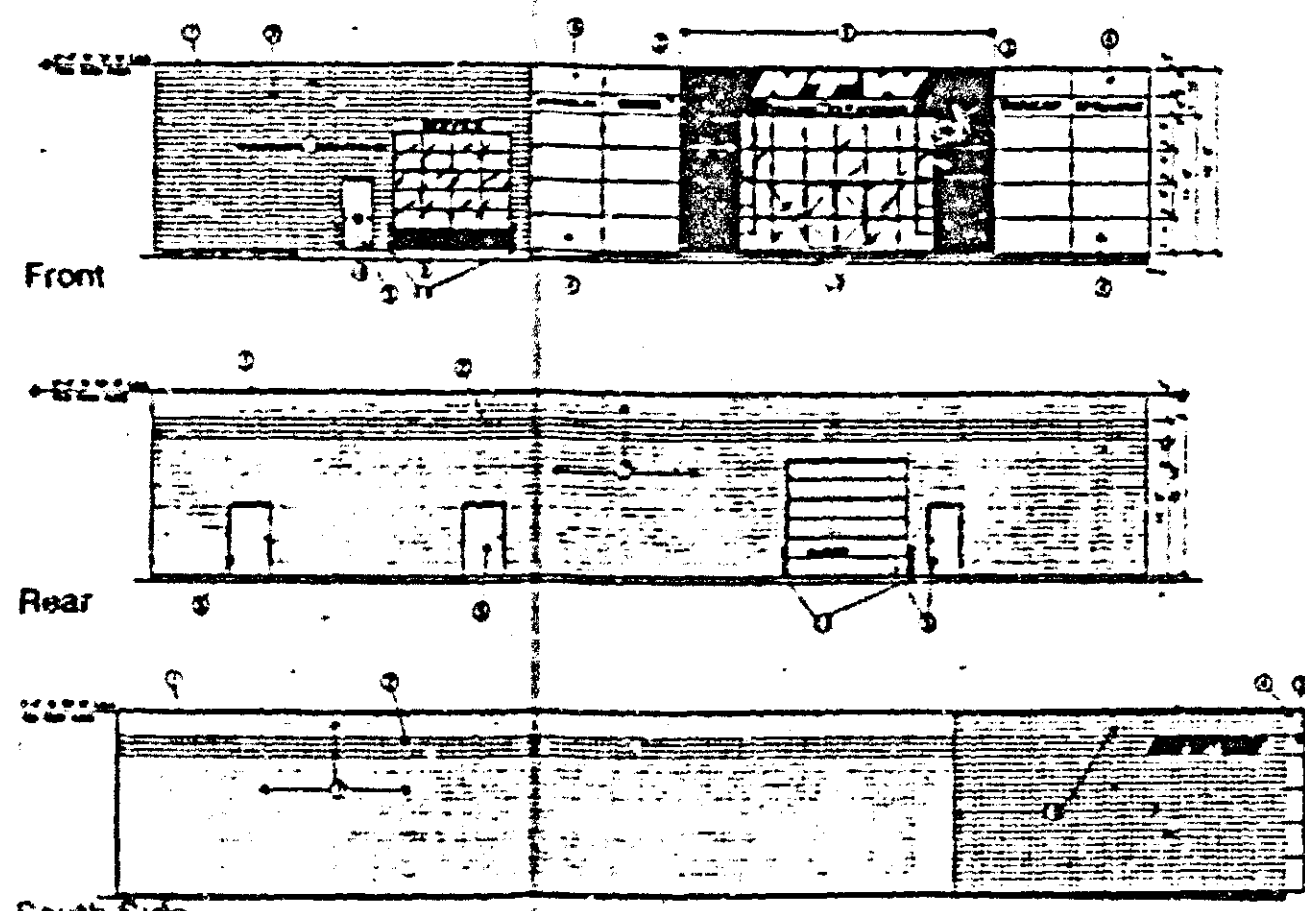


PROPOSED SIGN DETAIL NTS

USE	TOTAL SPACES REQUIRED	DAYTIME		EVENING		NIGHTTIME		TOTAL SPACES REQUIRED
		SPACES	PERCENT	SPACES	PERCENT	SPACES	PERCENT	
Office/Industrial	0.00	100%	0.0	100%	0.0	100%	0.0	0.0
Retail	11.74	80%	27.2	80%	48.7	100%	48.3	51.7
Shopping Center of 118,000 sq. ft.	0.00	50%	0.0	50%	0.0	100%	0.0	0.0
Residential	0.00	75%	0.0	100%	0.0	75%	0.0	75%
Restaurant	0.00	50%	0.0	100%	0.0	100%	0.0	100%
Theater, Concert, Assembly, Church, Synagogue	11.00	50%	11.0	100%	11.0	100%	11.0	11.0
Other Uses	24.75	100%	24.8	100%	24.8	100%	24.8	24.8
TOTAL	122.50		81.0%	121.4%		117.3%	117.3%	47.4%

\*Typical Values: Total Spaces Minimum Required Number of Parking Spaces (MS) by MS

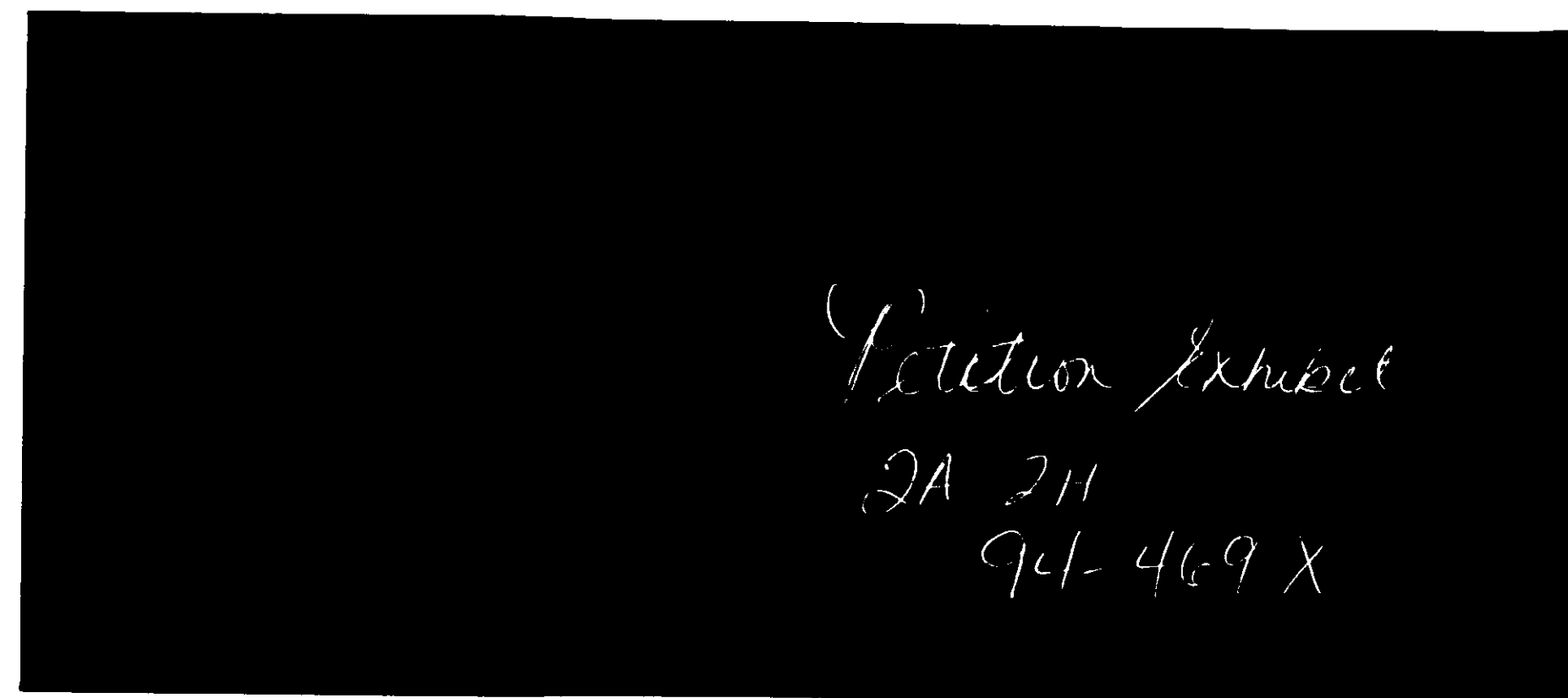
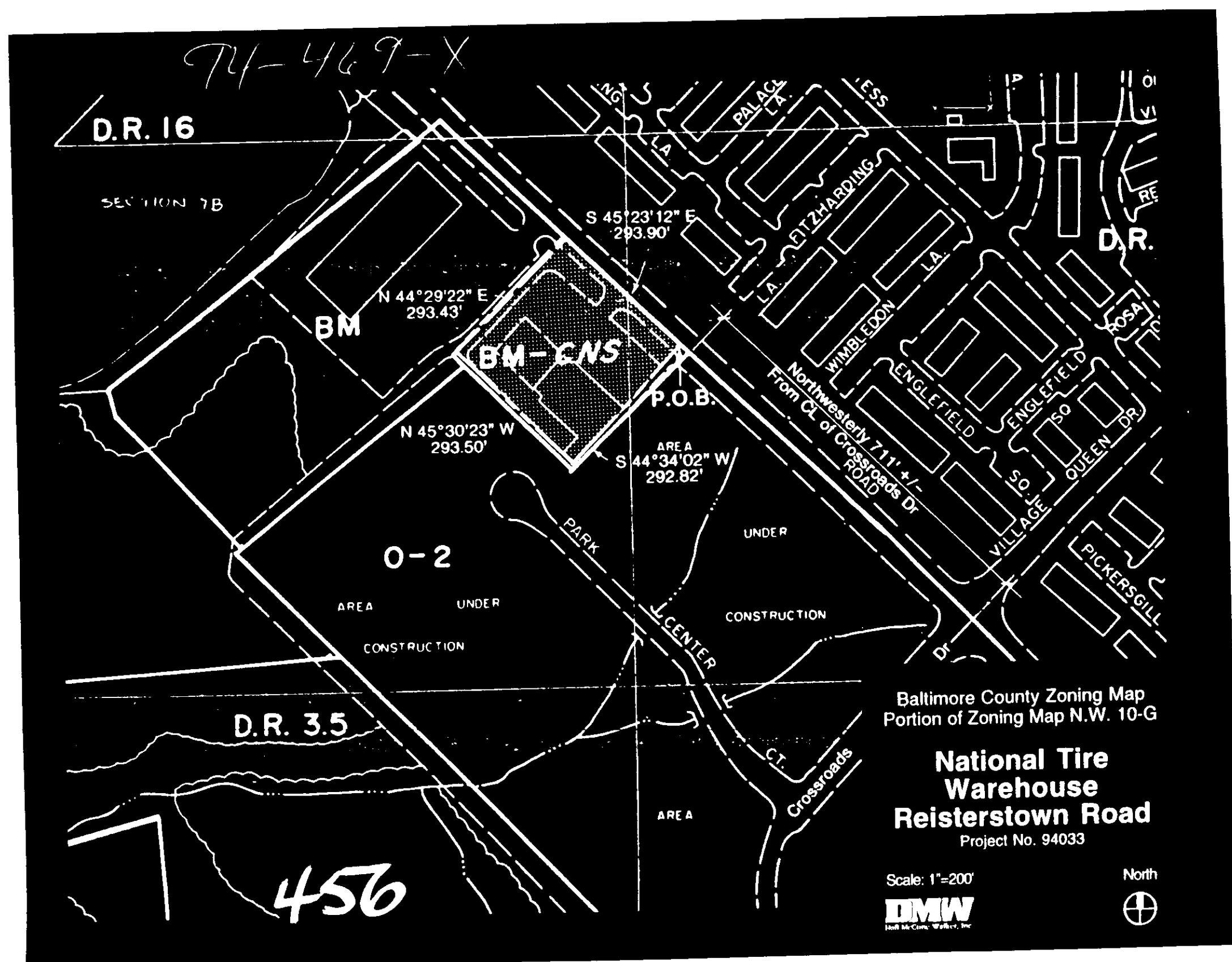
SHARED PARKING ADJUSTMENT



PROPOSED BUILDING ELEVATIONS NTS

PRINTED  
MAY 18 1994  
DAFT-MCCUNE-WALKER, INC.





**The Traffic Group**

June 28, 1994

Tri-Tek Engineering  
Mr. Ted Britt  
Suite 300  
690 Center Street  
Herndon, Virginia 22072-6003

**PETITIONER'S EXHIBIT 3**

Re: NTW Site - MD 140 (Reisterstown Road)  
Parking Variance  
Baltimore County, Maryland  
Our Job No.: 940608


Dear Mr. Britt:

As requested, The Traffic Group, Inc. has prepared an evaluation of the site plan for the proposed National Tire Warehouse facility to be located along the southwest side of Reisterstown Road in the vicinity of the Garrison, Maryland. Specifically, The Traffic Group, Inc. conducted a study to evaluate existing and future projected parking conditions based upon the petition for a parking variance. The results of our evaluation show that the proposed plan and accompanying parking will be sufficient to accommodate the existing uses and the proposed development of the National Tire Warehouse facility.

The site is located along the southwest side of Reisterstown Road and is presently developed with a one-story commercial building containing a Blockbuster video store, tavern and communication store. In addition to those uses, the site also has a Thrifty Car Rental trailer and accompanying storage of vehicles. Access to the property is provided by a 35 ft. commercial entrance which is located between the commercial building and the auto rental facility. A chain link fence currently exists

*The Traffic Group, Inc.  
Suite 600  
40 W. Chesapeake Avenue  
Towson, Maryland 21204  
410-583-8403  
Fax 410-321-9458*



 Printed with Soybean Ink  
on Recycled Paper



**receipt**  
94-469-X

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Carl Jablon*  
ARNOLD JABLON, DIRECTOR

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-469-X (Item 456)  
9400 9424 Reisterstown Road  
9400 Reisterstown Road, 711 feet NW of Village Queen Drive  
3rd Election District - 3rd Councilmanic  
Legal Owner: Cohen-Fader Partnership  
Contract Purchaser: National Tire Warehouse, Inc.  
HEARING: WEDNESDAY, JUNE 29, 1994 at 10:00 p.m., Rm. 118 Old Courthouse

Variance to permit 99 parking spaces in lieu of the required 122 parking spaces.

*Carl Jablon*  
ARNOLD JABLON  
Director

cc: Cohen-Fader Partnership  
Robert A. Hoffman, Esquire  
National Tire Warehouse, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO Rm. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

**VENABLE, BAETJER & HOWARD**

CHECK NO. 0002637

OUR REF. NO.	YOUR INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	05/09/94		\$285.00			
25428:110627 - National Tire Warehouse/Reisterstown						
Baltimore County, Maryland						
Variance Petition and posting fee						

456

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Carl Jablon*  
ARNOLD JABLON, DIRECTOR

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

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Baltimore County Government  
Office of Zoning Administration  
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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
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Robert A. Hoffman, Esquire  
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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 17, 1994

Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Case No. 456, Item No. 94-469-X  
Petition for Variance  
Petitioner: Cohen-Fader Partnership

Dear Mr. Hoffman:

The above-referenced petition and accompanying plans were accepted for filing on May 20, 1994 and a hearing was scheduled accordingly. Respectively, the Zoning Advisory Committee (ZAC) has reviewed those plans. Enclosed are copies of the comments received to date from the reviewing agency/agencies offering or requesting information on the petition. These comments are not intended to indicate the appropriateness of the zoning action requested, but rather to ensure that all parties; i.e., zoning commissioner, attorney, and/or petitioner, are aware of any issues that may have a bearing on this case. Should we receive any additional informative comments, they will be forwarded to you immediately. (Comments that are not informative are placed in the case file; you will not receive a copy.)

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby those zoning attorneys who regularly file petitions that comply with all aspects of the zoning regulations and petition(s) filing requirements can file their petition(s) with this office without the necessity of a preliminary review by zoning personnel. However, previous staff reviews and violations must be identified at that time.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: June 13, 1994  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Developers Engineering Section

RE: Zoning Advisory Committee Meeting for June 8, 1994  
Item No. 456

The Developers Engineering Section has reviewed the subject zoning item. A schematic landscape plan must be submitted for review and tentatively approved as a condition of approval of the Development Plan.

RWB:aw

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/25/94

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner:SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

S. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 444, 446, 455, AND 456.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 27, 1994  
ZADM

FROM: Robert W. Bowling, Chief  
Developers Engineering Section

SUBJECT: Zoning Advisory, Landscape Comments For National Tire Warehouse At 9400-9424 Reisterstown Road, Item #456

A schematic landscape plan has been submitted to and reviewed by this office.

Additional street trees and shrub plantings along Reisterstown Road will be sought for the final landscape plan. Appropriate visibility of signs and building facade will be maintained.

It is understood by this office that the Zoning Commissioner may adjust landscape requirements.

RWB:BAH:sik

cc: File

RECEIVED  
JUN 28 1994  
ZONING COMMISSIONER



IN RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road, 711' NW  
Village Queen Drive  
(9400 Reisterstown Road)  
3rd Election District  
3rd Councilmanic District  
Cohen-Fader Partnership  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-469-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 9400 Reisterstown Road, located in the Garrison area of Reisterstown in northern Baltimore County. The Petition was filed by the owners of the property, the Cohen-Fader Partnership, by Steve Fader, General Counsel, and the Contract Purchaser, National Tire Warehouse, Inc., by Brian Sexton, Executive Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 99 parking spaces in lieu of the required 122 parking spaces. The property and relief sought are more particularly described on the plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Steve Fader for the Cohen-Fader Partnership, Ted Britt with Tri-Tech Engineering, Regional Consultants for the National Tire Warehouse, Inc., Mickey Cornelius with The Traffic Group, Jean Tansey, a landscape planner with Daft-McCune-Walker, Inc., and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence presented revealed that the subject property consists of 1.97 acres, more or less, split zoned RM-CNS (AS) and BM. The property is improved with a one-story concrete, block and brick build-

ing which currently houses a Blockbuster Video store and a small office trailer which is used by the Thrifty Car Rental business. The Petitioners are desirous of developing the site with a one-story split based concrete block building of 11,138 sq.ft. to house a National Tire Warehouse (NTW) franchise. NTW specializes in the sale and installation of automobile tires and ancillary automotive mechanical repairs. The new building will replace the existing trailer and the Thrifty Rental Car business, which will no longer operate from this site. Due to the size of the property and the location of existing improvements thereon, the requested parking variance is necessary.

Entered into evidence as Petitioner's Exhibit 3 was a parking study prepared by Mr. Mickey Cornelius, Vice President of The Traffic Group. This study demonstrates that the requested parking variance would have no detrimental effect on the surrounding locale and that sufficient parking exists to serve both the Blockbuster Video Store as well as the proposed NTW franchise.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8<sup>th</sup> day of July, 1994 that the Petition for Variance seeking relief from Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 99 parking spaces in lieu of the required 122 parking spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall provide the landscaping depicted on Petitioner's Exhibit 1 as soon as weather conditions permit.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 7/8/94  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

July 8, 1994

(410) 887-4386

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road, 711' NW Village Queen Drive  
(9400 Reisterstown Road)  
3rd Election District - 3rd Councilmanic District  
Cohen-Fader Partnership - Petitioners  
Case No. 94-469-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Steve Fader  
Cohen-Fader Partnership, 9428 Reisterstown Rd., Garrison, Md. 21055

Mr. Brian Sexton, Executive Vice President, National Tire Warehouse,  
2359 Research Drive, Woodbridge, Va. 22192-4607

People's Counsel

File

**Petition for Variance**  
to the Zoning Commissioner of Baltimore County  
for the property located at 9400 Reisterstown Road  
which is presently zoned BM-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) to permit 99 parking spaces in lieu of the required 122 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)  
To be determined at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations 1, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner:

National Tire Warehouse, Inc.

By: Brian Sexton, Executive Vice-President

Address: 2359 Research Drive  
Woodbridge, Virginia 22192-4607

City State Zipcode

Robert A. Hoffman, Esquire

By: Rob Hoffman, Esq.

Venable, Baetjer & Howard

210 Allegheny Avenue

Towson, Maryland 21204

City State Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Cohen - Fader Partnership

By: Steve Fader, General Counsel

Signature

(Type or Print Name)

Signature

(Type or Print Name)

9428 Reisterstown Road

Address Phone No.

Garrison, Maryland 21055

City, Address and phone number of legal owner. (Contact purchaser or representative to be contacted)

Robert A. Hoffman, Esquire

Address Phone No.

Towson, Maryland 21204 494-6200

City, Address and phone number of legal owner. (Contact purchaser or representative to be contacted)

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

minutes for Hearing

Next Time Month

ALL OTHER DATE

REVIEWED BY DATE

ORDER RECEIVED FOR FILING  
Date 5/20/94  
By [Signature]

DMW

Daft-McCune-Walker, Inc.

200 East Pratt Avenue, Suite 200

Towson, Maryland 21206

410 286 3333

Fax 286 4795

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Description

To Accompany Petition for Zoning Variance

1.976 Acre Parcel

Cohen - Fader Partnership Property

Southwest Side of Reisterstown Road

Northwest of Crossroads Drive

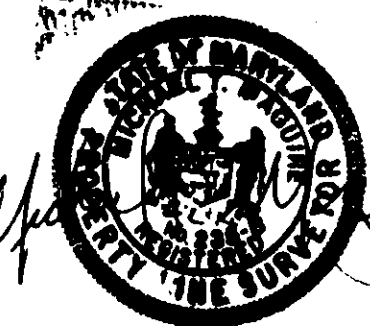
Third Election District, Baltimore County, Maryland

Beginning for the same in the centerline of Reisterstown Road (Maryland Route 140) at a point distant 711 feet, more or less, as measured northwesterly along said centerline from its intersection with the centerline of Crossroads Drive, thence leaving said centerline of Reisterstown Road and running the three following courses and distances, viz: (1) South 44 degrees 34 minutes 02 Seconds West 292.82 feet, thence (2) North 45 degrees 30 minutes 23 seconds West 293.50 feet, and thence (3) North 44 degrees 29 minutes 22 seconds East 293.43 feet to intersect the hereinmentioned centerline of Reisterstown Road, thence binding thereon (4) South 45 degrees 23 minutes 12 seconds East 293.90 feet to the point of beginning; containing 1.976 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

Project No. 94033 (L94033)

March 17, 1994



CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 6/10/94

Posted for: Venable, Baetjer & Howard

Petitioner: Cohen-Fader Partnership - National Tire Warehouse

Location of property: 9400 Reisterstown Rd., SW/S

Location of Sign: 2nd day, o.a. property located

Remarks:

Posted by: [Signature] Date of return: 6/18/94

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 3, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 2, 1994.

THE JEFFERSONIAN,

A. HENNINGSON

LEGAL AD. - TOWSON